

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27730 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- SHAMBHUGANJ District- Banka

1. Amit Kumar @ Amit Kumar singh son of Late Niranjan singh Resident of village- khapra Basti (Karsap), ps -shambhuganj District- Banka
2. Renu Devi wife of Late Niranjan Singh Resident of village- khapra Basti (Karsap), ps -shambhuganj District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 04-08-2025 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Shambhuganj P.S. Case No. 324 of 2024, instituted for the offences punishable under Sections 80(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 3/4 of Dowry Prohibition Act.

3. The prosecution case, in short, is that daughter of the informant was done to death by the petitioners for non-fulfillment of dowry.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioners submits that petitioner no. 1 is husband and petitioner no. 2 is mother-in-law of the deceased. The allegation levelled against the petitioners are general and omnibus in nature. It is next submitted that deceased fell suddenly due to which she sustained injuries and died. Petitioner no. 2 is separate in mess and business from the husband of the deceased. It is further submitted that no any demand of dowry was made either from the deceased or from her family members by the petitioners. The petitioners are in custody since 17.11.2024 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and submits that an abrasion on chest and a black spot over the eye was found in the inquest report, which is also mentioned in post-mortem report. These injuries, particularly the abrasion on the chest and the black spot over the eye, are indicative of potential blunt force trauma or physical assault. Although there is no reason assigned for death till now by the doctor. But the death of the deceased has occurred within the house of petitioner no. 1. It is further submitted that petitioner no. 1 is the husband of the deceased and there is specific allegation against him of demanding dowry



from the deceased. Hence, petitioner no. 1 does not deserve the privilege of bail.

6. Having considered the rival submissions made on behalf of the parties, taking into account the specific allegation against petitioner no. 1, this Court is not inclined to grant bail to petitioner no. 1. So far as remaining petitioner, i.e. petitioner no. 2, is concerned, this Court is inclined to grant bail to petitioner no. 2.

7. Accordingly, the prayer for grant of bail to petitioner no. 1, namely, Amit Kumar, is hereby, **rejected**. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of six months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

8. So far as petitioner no. 2 is concerned, considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to petitioner no. 2.

9. Let the petitioner no. 2 be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with



Shambhuganj P.S. Case No. 324 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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