

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32981 of 2025**

Arising Out of PS. Case No.-3 Year-2024 Thana- DHANGAI District- Bhojpur

1. Sri Ram Sah Son of Late Tulshi Sah Village - Shivpur Ganj, P.S. - Dhangai, Dist- Bhojpur
2. Sugiya Devi Wife of Sri Ram Sah Village - Shivpur Ganj, P.S. - Dhangai, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Navin Kumar Singh, Advocate |
| For the Informant        | : | Mr. Amarendra Kumar, Advocate   |
| For the Opposite Party/s | : | Mr. Jharkhandi Upadhyay, APP    |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      04-07-2025                      Heard Mr. Navin Kumar Singh, learned counsel for the petitioners, Mr. Amarendra Kumar, learned counsel for the Informant as well as Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who are in custody since 22.02.2025 and 24.02.2025 in connection with Dhangai P.S. Case No. 03 of 2024, F.I.R. dated 20.01.2024 for the offences punishable under Sections 304(B) of the Indian Penal Code.

3. According to prosecution case, the informant alleged that the petitioners alongwith other co-accused persons have killed his daughter due to non-fulfillment of demand of dowry.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. The petitioners have been made accused merely on the basis that they are in-laws of the deceased. Although the petitioners are named in the FIR but it appears from the FIR that the informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion, the informant has lodged the present false case against the petitioners and apart from that there is no specific allegation of assault or overt act or demand of dowry against the petitioners rather the allegation levelled against them are general and omnibus the son of the petitioners, who happens to be the husband of the deceased is in judicial custody since 24.01.2025. The police after investigation has submitted charge-sheet. The petitioners no.1 is in custody since 22.02.2025 and petitioner no.2 is in custody since 24.02.2025.

5. The learned Additional Public Prosecutor as well as learned counsel for the Informant on the basis of impugned order and post-mortem report available on record have vehemently opposed the prayer for bail of the petitioners. The relevant part of impugned order is mentioned hereinbelow:-

*“As per the doctor the cause of death was shock and asphyxia due to manual strangulation*



*(throttling). It appears that the doctor has found the nail marks on the neck of the victim and also found manual strangulation leading to death of the victim which suggest that the victim was murdered and she did not commit suicide.”*

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and the son of the petitioners, who happens to be the husband of the deceased is in judicial custody since 24.01.2025, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IVth, Bhojpur, Ara in connection with Dhangai P.S. Case No. 03 of 2024, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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