

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34033 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- BARHARIA District- Siwan

Amir Hasan S/o- Late Muhammaddin Miyan Resident of Village- Mathurapur
P.S.- Baraharia Dist- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamarul Hoda Andari S/o- Late Mubarak Miyan Village- Mandanpur Ps-
Barauli Dist- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rizwanul Jama Khan, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Barharia P.S. Case No. 01 of 2025, registered for the offences punishable under Sections 80(2), 3(5) of Bharatiya Nyaya Sanhita. Petitioner has clean antecedent.

3. As per the prosecution case, the informant has stated that the marriage of his daughter was solemnized in the year 2021 and thereafter she was subjected to torture by demanding dowry and on the fateful day, they learnt that his daughter has been done to death and thereafter the FIR was lodged.



4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits there is general and omnibus allegation against all the in-laws of the deceased as well as the husband of deceased for killing the daughter of the informant. The learned counsel further submits that as per the postmortem report, the cause of death was noted to be injury caused by hanging. It has lastly been submitted that similarly situated co-accused person, namely, Amina Khatun has already been granted anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 23.04.2025, passed in Criminal Misc. No. 22403 of 2025. Lastly, it has been submitted that the petitioner has clean antecedent and he is in custody since 02.01.2025.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioner is alleged to have killed his daughter-in-law.

6. Considering the aforesaid submissions made by the parties and taking into account that the nature of allegation being general and omnibus and the similarly situated co-accused person has already been granted bail by a Co-ordinate Bench of this Hon'ble Court, I am inclined to grant the



petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, 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 court of learned ACJM III, Siwan, in connection with Barhariya P.S. Case No. 01 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Sourendra Pandey, J)

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