

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33575 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- RAXAUL District- East Champaran

1. Savita Devi W/o- Gopi Shah Village- Siswa W.No-4, Ps- Raxaul Dist- East Champaran
2. Raju Shah S/o- Ramji Shah Moh- Lashmipur Ps- Palanwa Dist- East Champaran
3. Prabhawati Devi W/o- Rambachan Shah Village- Siswa W.No-4, Ps- Raxaul Dist- East Champaran
4. Gopi Shah S/o- Rambachan Shah Village- Siswa W.No-4, Ps- Raxaul Dist- East Champaran
5. Krishmohan Shah @ Kish Mohan Kumar S/o- Rambachan Shah Village- Siswa W.No-4, Ps- Raxaul Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are named in the

F.I.R. and apprehended their arrest in connection with Raxaul

P.S. Case No. 385 of 2024 registered for the offences

punishable under Sections 103 and 3(5) of the Bharatiya

Nyaya Sanhita.



3. Allegation against the petitioners is to commit murder of the sister of the informant due to non-fulfillment of demand of dowry as raised for cash of Rs. 1 Lakh.

4. Learned counsel appearing on behalf of the petitioners submitted that admittedly as per FIR marriage of deceased sister of informant was solemnized before 8-9 years of the occurrence, therefore, present case was lodged for the offence punishable under Section 302 of the IPC. It appears from the narration of FIR that telephonic call was made to informant, while his sister was ill in her matrimonial home as family members failed to hospitalized her within time, present false case was lodged. It is submitted that it was husband of deceased namely Kishan Shah @ Krishna Shah, who failed to get deceased admit in hospital within time. It is submitted that petitioners are in-laws facing general and omnibus allegation *qua* alleged occurrence and their implication appears only being family members of the husband of the deceased. While concluding the argument it is submitted that petitioners are of clean antecedent.

5. Learned APP appearing on behalf of the State,



while opposing the prayer for anticipatory bail submitted that petitioner being in-laws actively participated during the occurrence.

6. In view of aforesaid facts and circumstances and by taking note of the fact as allegation *qua* murder not appears available specific against petitioners, who are in-laws, accordingly all above named petitioners, in the event of their arrest or surrender before the learned Trial Court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari/concerned Trial Court where the case is pending in connection with Raxaul P.S. Case No. 385 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

