

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33337 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- BETTIAH CITY District- West
Champaran

Sunny raj S/o Birju Baitha R/o Vill- Tulsipatti, Ward No. 2, P.S.- Kalyanpur,
Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35683 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- BETTIAH CITY District- West
Champaran

Dilip Baitha S/O Baleshwar baitha R/O Village-Bangra, PS- Sahebganj,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

. ... Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33337 of 2025)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the State : Md. Shakir Ahmad, A.P.P.

For the Informant : Mr. Krishna Kant Pandey, Adv.

(In CRIMINAL MISCELLANEOUS No. 35683 of 2025)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the State : Mr.Manoj Kumar, A.P.P.

For the Informant : Mr. Krishna Kant Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-08-2025 Since both the petitions arise out of Bettiah (Town)

P.S. Case No. 122 of 2025, as such, they have been taken up

together and are being disposed of by this common order.

2. Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

3. In the present case, the petitioners seek bail in
connection with Bettiah (Town) P.S. Case No. 122 of 2025,
registered for the offences under Sections 103(1), 3(5) of BNS.



4. As per the prosecution case, the daughter of the informant was murdered by the petitioners for dishonoring the family.

5. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The prosecution story is not believable. Petitioner Dilip Baitha is cousin of the informant and Sunny Raj is nephew of the informant. The allegation against the petitioners is that they strangled the daughter of the informant to death as she was keeping relationship with other boys and used to run away from her house but the same could not be the reason to the petitioners to commit the offence who are not the immediate family members of the deceased. Moreover, the post mortem report does not show cause of death to be strangulation and opinion has been reserved for medical examination of viscera. The learned counsel further submits that this falsifies the allegation that the informant saw petitioner Dilip Baitha strangulating his daughter and petitioner Sunny Raj holding her legs. Learned counsel further submits that the present case has been lodged in police highhandedness as in typed written report the informant put her thumb impression and the witnesses on the said report are mother of petitioner Sunny



Raj and brother of petitioner Dilip Baitha, respectively. It shows that they put their signatures on a blank paper not knowing what was to be filled up in the blanks. It appears the daughter of the informant committed suicide and the petitioners even helped the informant in taking her to the hospital and if they would have committed her murder, it was not natural for them to accompany the informant to hospital. The petitioners are in custody since 11.03.2025 and they have no criminal antecedent. Charge sheet has been submitted.

6. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that there is specific allegation against the petitioners that they killed the daughter of the informant.

However, learned counsel for the informant submits that informant has filed application before the learned trial court wherein she has stated that the police officials forcibly took her thumb impression and her daughter had been suffering from abdominal pain and the petitioners took her to the government hospital, Bettiah for treatment where she died.

7. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation against the petitioners and also



considering submission of charge sheet against them and their period of custody, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran/concerned court, in connection with Bettiah (Town) P.S. Case No. 122 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

anuradha/-

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

