

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35772 of 2025

Arising Out of PS. Case No.-216 Year-2023 Thana- SHIVSAGAR District- Rohtas

1. Bula Bind S/O Late Rekha Bind Resident of Village- Machwar, Police Station- Sheosagar, District- Rohtas
2. Lakshmina DEvi W/O Bula Bind Resident of Village- Machwar, Police Station- Sheosagar, District- Rohtas
3. Pappu Kumar @ Pappu Bind S/O Bula Bind Resident of Village- Machwar, Police Station- Sheosagar, District- Rohtas
4. Tuphani Bind @ Tuphani Kumar S/O Bula Bind Resident of Village- Machwar, Police Station- Sheosagar, District- Rohtas
5. Teju Kumar @ Teju Bind S/O Bula Bind Resident of Village- Machwar, Police Station- Sheosagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-06-2025 Heard Mr. Raghunandan Kumar Singh, learned counsel for the petitioners and Ms. Asha Devi, learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners is permitted to make necessary corrections in Paragraph No. 6 of the bail petition and in the prayer portion within the course of the day.

3. The petitioners are apprehending their arrest in connection with Shivsagar P.S. Case No. 216 of 2023, F.I.R. dated 31.05.2023 for the offences punishable under Sections



304(B)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition act.

4. According to prosecution case, the informant has solemnized the marriage of his daughter about one year ago. After some days of marriage, her husband and her in-laws demanded dowry and on non-fulfillment of the same, the husband along with his family members started to assault the informant's daughter due to which informant's daughter died.

5. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that the petitioners are in-laws of the deceased person. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R it appears that the informant is not the eye witness of the alleged occurrence. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or overt act or demand of dowry is attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that the petitioner no. 1 is the father-in-law, petitioner



no. 2 is the mother-in-law and petitioner nos. 3, 4 and 5 are brother-in-laws of the deceased person and the husband of the deceased, namely, Jitan Bind, who happens to be the son of the petitioner nos. 1 and 2 is in judicial custody since 25.04.2025.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

7. Considering the aforesaid facts, the petitioners have clean antecedent, there is no specific allegation of any assault or over act or demand of dowry is attributed against these petitioners and the husband of the deceased person, who happens to be the son of the petitioner nos. 1 and 2 is in judicial custody, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rohtas at Sasaram in connection with Shivsagar P.S. Case No. 216 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other 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 petitioners tamper 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)

Jyoti Kumari/-

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