

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41484 of 2025

Arising Out of PS. Case No.-342 Year-2024 Thana- CHOUTARWA District- West
Champaran

Jailal Das @ Jaylal Das S/o Nagendra Das R/o Village- Lakshmipur Ward No.
17, Patilar, P.S.- Choutara, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Milind Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Choutarwa P.S. Case No. 342 of 2024, registered for the offences under Sections 80(2) of the BNS.

3. As per the prosecution case, on account of demand of motorcycle as dowry, the daughter of the informant was killed.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner and other coaccused persons are innocent and have been falsely implicated in this case. The petitioner is husband of the deceased and the allegation is not believable. From the FIR, it is apparent that

marriage had taken place ten years back and there are two children aged about six years and four years from this marriage and the deceased was pregnant at the time of her death. These facts go on to show that allegation of demand of dowry is not believable and earlier no such complaint was ever made. No one demanded anything from the deceased. Learned counsel further submits that real fact of the case is that on the date of occurrence, deceased was talking to someone on her mobile phone and quarrel took place between petitioner and deceased as petitioner had to go to his sister's house along with the children and the petitioner left the house along with his children to go to his sister's house leaving behind the deceased. She committed suicide when she was all alone in the home as her in-laws have left for different places and were not even present in the house. Finding that the deceased committed suicide, the police submitted charge sheet under Section 108 of the BNS making the petitioner accused for abetting the suicide of the daughter of the informant. But from the facts of the case, no case is made out for abetment against the petitioner in instigating the daughter of the informant to commit suicide. The petitioner is in custody since 18.01.2025 and he is having clean antecedent and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and also considering his period of custody and submission of charge sheet along with his clean antecedent, the petitioner is 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 A.C.J.M-1st, Bagaha, West Champaran/concerned court, in connection with Choutarwa P.S. Case No. 342 of 2024, 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 petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court 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
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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