

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55155 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- KARTAHA District- Vaishali

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1. Sunaina Devi W/o Ramnath Sah R/o Village- Kartaha, P.S.- Kartaha, District- Vaishali
 2. Ramnath Sah S/o Bilat Sah R/o Village- Kartaha, P.S.- Kartaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Adv.
For the State	:	Mr.Shailendra Kumar, APP
For the Informant	:	Mr. Raja Ram Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-08-2025 Heard Mr. Rajesh Kumar, learned counsel for the petitioners, Mr. Shailendra Kumar, learned APP for the State and Mr. Raja Ram Rai, learned counsel for the informant.

2. Petitioners seek regular bail in connection with Kartaha P.S. Case No. 27/ 2025 dated 18.02.2025 registered for the offence(s) punishable under Sections 80(2) and 3(5) of the BNS.

3. The main submissions advanced by the petitioners' counsel are that the petitioners are the mother-in-law and father-in-law of the deceased and are old persons, though, the instant matter relates to the dowry death but, in fact, petitioners were residing separately from their son (husband of the deceased) and had no connection with the affairs of the deceased and her husband during the relevant period of time, in the FIR, there is



no specific allegation against the petitioners and the marriage of the deceased had taken place one and half years prior to the commission of the alleged occurrence and the informant revealed in the FIR that only from January, 2025 the in-laws of the deceased started torturing her and there is no allegation of torture prior to January, 2025. It is further submitted that the husband of the deceased is already in judicial custody and both the petitioners have been languishing in jail since 19.02.2025 and against them investigation has been completed. It is lastly submitted that after the death of the deceased, co-accused, Lal Babu Sah himself informed the informant about the death of the deceased.

4. The learned counsel appearing for the informant has opposed the bail prayer of the petitioners and submits that the deceased died within one and half years of her marriage and the cause of death has been opined as Asphyxia following strangulation and if the petitioners are released on bail they may tamper with evidence and therefore should only be considered for release after framing of charge.

5. In the facts and circumstances of the case and considering the aforesaid submissions and mainly the facts that in the FIR, there is no specific allegation against the petitioners,



who are said to be the mother-in-law and father-in-law of the deceased and the petitioners have taken the plea of residing separately from the deceased during the relevant period of the occurrence and also coupled with the custody period of the petitioners and completion of investigation against them, I am inclined to release the petitioners on bail. Accordingly, let the petitioners named-above be released on bail in connection with Kartaha P.S. Case No. 27/ 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned.

6. If the petitioners are subjected to the trial for the alleged offences then they will be released after framing of charge and if the charge is not framed against them in the next one month in that case, they will be released as per the above directions.

BKS/-

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(Shailendra Singh, J)

