

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62978 of 2025

Arising Out of PS. Case No.-411 Year-2024 Thana- BANIAPUR District- Saran

Swaminath Prasad @ Swaminath Pd. S/o Late Ekbal Prasad @ Late Ram
Ekbal Mahto Resident of Village- Karahi, PS- Baniyapur, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shambhu Lal Prasad S/o Late Nagina Prasad R/o vill - Bagaura, P.s.
Daraunda, Distt.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Baniyapur P.S Case No. 411 of 2024 registered for the offences
punishable under Sections 80, 3(5) of the BNS.

3. As per prosecution case, it is a case of dowry death
of the victim due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is further
submitted that earlier prayer for grant of regular bail of the
petitioner in Cr. Misc. No. 10883 of 2025 is rejected *vide* order
dated 12.05.2025. It is also submitted that petitioner is in



judicial custody since 08.09.2024 and he has got no criminal antecedent as stated in paragraph no. 3 of the bail petition. It is further submitted the husband of the deceased is already surrendered.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 12.08.2025, it appears that petitioner is the father-in-law of the deceased and his earlier prayer for grant of regular bail in Cr. Misc. No. 10883 of 2025 is rejected *vide* order dated 12.05.2025. Petitioner is in custody since 08.09.2024 and he is aged about 65 years old.

7. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional District and Sessions Judge-XIV, Saran at Chapra in connection with Baniyapur P.S Case No. 411 of 2024.

(Ramesh Chand Malviya, J)

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