

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69503 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- TEYAR District- Bhojpur

1. Bajinath Singh Son of Late Hakru Singh Resident of Village - Angaruah, Police Station - Tiyar, District - Bhojpur at Ara.
2. Rita Devi Wife of Bajinath Singh Resident of Village - Angaruah, Police Station - Tiyar, District - Bhojpur at Ara.
3. Rinku Devi Daughter of Bajinath Singh Resident of Village - Angaruah, Police Station - Tiyar, District - Bhojpur at Ara.
4. Bhuwar Singh Son of Bajinath Singh Resident of Village - Angaruah, Police Station - Tiyar, District - Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the State : Mr. Ravindra Kumar @ Ravindra Kr Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2025 Heard Mr. Shashank Shekhar, learned counsel for the petitioners as well as Mr. Ravindra Kumar @ Ravindra Kr. Rai, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Tiyar P.S. Case No. 40 of 2025, F.I.R. dated 02.05.2025 for the offences punishable under Sections 80, 86, 126, 115(2), 127(2), 3(5) of the BNS.

3. According to prosecution case, the petitioners are said to have tortured the informant's daughter physically and mentally and lastly, she has been strangulated to death due to



non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that petitioner have clean antecedent and they have falsely been implicated in the present case merely on the ground that petitioners are in-laws of the deceased. He further submits that from a bare perusal of the F.I.R, it appears that the informant is not an eye-witness of the present occurrence and merely on the basis of suspicion, he has filed the present FIR. It also appears from the FIR that he has not stated anything about the petitioners rather there is general and omnibus allegation that all the named accused persons in the FIR have committed the crime in question. It is further submitted that the husband of the deceased, namely, Mukesh Kumar, who is son of the petitioner nos. 1 and 2, is in judicial custody and his case is pending for consideration before this Hon'ble Court in Cr. Misc. No. 53694 of 2025.

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

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedents, there is no specific allegation of any assault or overt act in the FIR against these petitioners,



informant is not an eye-witness in the present case and the husband of the deceased is in judicial custody, let the petitioners, above named, in the event of their 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 Chief Judicial Magistrate, Banka in connection with Tiyyar P.S. Case No. 40 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 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)

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