

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75455 of 2024**

Arising Out of PS. Case No.-274 Year-2024 Thana- SUGAULI District- East Champaran

1. Sajan Kumar @ Sajan Sah Son of Shambhu Sah Resident of village - Belahi, P.S. - Chiraiya, District - East Champaran
2. Sharwan Kumar @ Sharwan Sah Son of Shambhu Sah Resident of village - Belahi, P.S. - Chiraiya, District - East Champaran
3. Bhola Sah Son of Bipat Sah Resident of village - Belahi , P.S. - Chiraiya, District - East Champaran
4. Ram Binay Sah Son of Radhe Sah Resident of village - Belahi , P.S. - Chiraiya, District - East Champaran
5. Radhe Sah Son of Late Gopal Sah Resident of village - Belahi , P.S. - Chiraiya, District - East Champaran
6. Shyamlal Kishore Sah Son of Shambhu Sah Resident of village - Belahi , P.S. - Chiraiya, District - East Champaran
7. Jhuni Devi @ Munni Devi Wife of Shyam Kishore Sah @ Shyamlal Kishore Sah Resident of village - Belahi , P.S. - Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prateek Tandon, Advocate  
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      29-01-2025                      Heard Learned Counsel for the petitioners and  
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sugauli P.S. Case No.274 of 2024, lodged on 21.06.2024, for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged



against eight named accused persons including the present petitioners. It has been alleged in the FIR that all accused persons have murdered the daughter of the informant for non-fulfillment of the dowry demand.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that petitioner Nos.1, 2, 6 and 7 have three criminal antecedents and rest accused persons have clean antecedent. He further submits that there is general and omnibus allegation against the petitioners and they have nothing to do with the family affairs of the deceased and co-accused Rajan Sah. Counsel submits that they are separate in mess and property. Counsel submits that none of the independent witnesses have supported the prosecution case and death of the deceased is natural while undergoing treatment in Sadar Hospital. Counsel submits that petitioner Nos.1, 2, 6 and 7 are family members and petitioner Nos.3, 4 and 5 are co-villagers.

5. Learned Additional Public Prosecutor for the State opposes the prayer.

6. Considering the fact that petitioner Nos.3, 4 and 5 are co-villagers and they have nothing to do with the family members of the deceased, they are directed to be released on



anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Three Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1<sup>st</sup> Class, Motihari, East Champaran, in connection with Sugauli P.S. Case No. 274 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. Since petitioner Nos.1, 2, 6 and 7 are family members, this Court is not inclined to grant anticipatory bail to them. Hence, their prayer for anticipatory bail is refused. However, in the event of their surrender, the prayer for regular bail shall be considered in course of the day without being prejudiced by the order of this Court.

**(Dr. Anshuman, J)**

Mkr./-

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