

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72633 of 2025

Arising Out of PS. Case No.-322 Year-2023 Thana- BAIRIYA District- West Champaran

Tuntun Sah @ Tuntun Kumar Sah, Male, aged 27 years, S/o Hira Sah, R/o-
Mansha Dubey, Patkhauli Phuliyakhad, P.S.- Bairiya, Distt.- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjay Kumar, Advocate
For the Opposite Party : Mr. Anil Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bairiya P.S. Case No. 322 of 2023 dated 07.11.2023 registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant and married her. Further, on 24.10.2023, the informant has got information that the petitioner and the co-accused persons have killed the informant's daughter and the dead body of the deceased was disappeared by them.



4. Earlier prayer for bail of the petitioner was rejected in Cr. Misc. No. 15930 of 2025 vide order dated 14.05.2025 by a Bench of this Court with a direction to the learned court below to conclude the trial of the petitioner at the earliest.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against the petitioner who is husband of the deceased. The petitioner neither demanded any dowry nor tortured the deceased. It is submitted that the deceased was not subjected to torture and cruelty soon before her death for or in connection with demand of dowry. There is a delay of 13 days in lodging the F.I.R. There is no eye witness to the alleged offence. The real fact is that the deceased was living very happily in her in-laws house (*Sasaural*). The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.09.2024 in this case.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the husband of the deceased and the petitioner alongwith the other co-accused persons have killed the daughter



of the informant.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-3rd, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 322 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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