

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79285 of 2024

Arising Out of PS. Case No.-36 Year-2022 Thana- SAMASTIPUR District- Samastipur

1. Lalbabu Das @ Lallu Das S/o- Late Sitaram Das, Resident of village- Kashipur ward no 7, PS-Samastipur town District- Samastipur.
2. Lalita Devi Wife of Lalbabu Das @ Lallu Das, Resident of village- Kashipur ward no 7, PS-Samastipur town District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-01-2025 1. Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners seek bail in connection with Sessions Trial No. 235/2024 arising out of Samastipur Town P.S. Case No. 36/2022 registered for the offence under Sections 498(A) and 403(B) of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

3. The accused/petitioners are named in the F.I.R. and are in custody since 01.07.2023.

4. The allegation against the petitioners is to cause



death of daughter of the informant alongwith other co-accused persons/family members due to non-fulfillment of demand of dowry alleged to be raised for Rs. 1 lacs.

5. Learned Counsel appearing on behalf of the petitioners submitted that petitioners are in-laws and are living separately much prior to the occurrence with deceased and her husband and as such having no connection with their daily and domestic affairs. It is submitted that the thrust of allegation was available against the husband of the deceased who after facing the trial was acquitted by the learned trial court i.e. the court of Sessions Judge, Samastipur through its judgment dated 07.12.2024 passed in Session Trial No. 715 of 2022. While concluding the argument, it is pointed out that the petitioners are old aged persons suffering from various age related ailments and, moreover investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. Petitioner are said to be persons of clean antecedents.

6. Learned APP, opposes the prayer of bail.



7. Considering the facts and circumstances and by taking note of fact as petitioners are in-laws who claims to live separately from deceased and her husband, coupled with the fact that investigation of this case is already completed, where petitioners are in custody since 01.07.2023, accordingly, both petitioners above named, are directed to be released on bail in connection with Sessions Trial No. 235/2024 arising out of Samastipur Town P.S. Case No. 36/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional District and Sessions Judge, Samastipur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. /Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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