

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.134 of 2025

Arising Out of PS. Case No.-108 Year-2024 Thana- Piplawa District- Patna

1. Ajay Saw @ Ajay Sah Son of Late Sukhdev Sah @ Sukhdev Saw Resident of Village- Adampur Piplawan, P.S.- Piplawan, District- Patna
2. Balmanti Devi @ Balmati Devi @ Belmanti Devi Wife of Ajay Saw @ Ajay Sah Resident of Village- Adampur Piplawan, P.S.- Piplawan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhagyashree Raj, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Bhagyashree Raj, learned counsel for the petitioners and Mr. Md. Aslam Ansari, learned Additional Public Prosecutor for the State.

2. Petitioners seek regular bail in connection with Piplawan (Pitwas) P.S. Case No. 108 of 2024, FIR dated 14.08.2024, registered for the offences punishable under Section 103(1) read with 3(5) of the Bhartiya Nyaya Sanhita.

3. According to the prosecution case, the allegation against the petitioners are that they had killed the informant's daughter by hanging her with a fan.

4. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in the present case on



the ground that the petitioner no. 1 is the father-in-law and petitioner no.2 is the mother-in-law of the deceased. He further submits that there is no allegation of assault or overt act attributed against the petitioners. The son of the petitioners namely Prem Kumar (Rakesh) who happens to be husband of the deceased is in custody since 14.08.2024 and the police had submitted charge-sheet on 16.10.2024 under Section 108 read with 3(5) of the Bhartiya Nyaya Sanhita against the petitioners and co-accused Prem Kumar (Rakesh) and the petitioners are in custody since 14.08.2024.

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 of the case and also the fact that there is no specific allegation of assault or overt act against these petitioners and the son of the petitioners who happens to be husband of the deceased is already in custody dated 14.08.2024, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Danapur, Patna in connection with Piplawan (Pitwas) P.S.



Case No. 108 of 2024, subject to the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioners tampers 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 learned trial Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed his criminal antecedent, the learned trial Court 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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