IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70069 of 2026

CNR No. BRHC010944762026

Arising Out of PS. Case No.-56 Year-2024 Thana- SIMRI BAKHTIYARPUR District- Saharsa

==========

1. Gautam Kumar @ Gotam Kumar Son of Chandu Poddar @ Chandrakishor Poddar Resident of Village- Simari Tola Duwarika, P.S.- Simari Bakhtiyarpur, District- Saharsa.
2. Roushan Kumar @ Roshan Kumar Son of Chandu Poddar @ Chandrakishor Poddar Resident of Village- Simari Tola Duwarika, P.S.- Simari Bakhtiyarpur, District- Saharsa.
3. Gaurab Kumar @ Gaurav Kumar Son of Chandu Poddar @ Chandrakishor Poddar Resident of Village- Simari Tola Duwarika, P.S.- Simari Bakhtiyarpur, District- Saharsa.
4. Gopal Kumar Son of Dinesh Poddar Resident of Village- Simari Tola Duwarika, P.S.- Simari Bakhtiyarpur, District- Saharsa.
5. Mousham Kumari D/o- Dinesh Poddar Resident of Village- Simari Tola Duwarika, P.S.- Simari Bakhtiyarpur, District- Saharsa.
6. Chandu Poddar @ Chandrakishor Poddar Son of Chhoti Poddar @ Chholi Poddar Resident of Village- Simari Tola Duwarika, P.S.- Simari Bakhtiyarpur, District- Saharsa.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 30-10-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Simri Bakhtiarpur P.S. Case No. 56 of 2024, F.I.R dated 10.02.2024 registered for the offences punishable

WEB COPY

under Sections 304(B) and 34 of the Indian Penal Code.

3. According to prosecution case, that all the accused persons including the present petitioners caused the death of the deceased on account of non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that for a general and omnibus allegation, petitioner Nos. 1 to 3, being cousins of the brother-in-law, petitioner No. 4, being the brother-in-law, petitioner No. 5, being the sister-in-law, and petitioner No. 6, being the cousin of the father-in-law, aged about 62 years and suffering from several ailments, have been made accused in the instant case. It is the specific case of the petitioners that the husband of the deceased was taken into judicial custody and has been extended the privilege of bail, whereas these petitioners were living separately from the deceased and her husband and had no connection with their day-to-day affairs. It is further submitted that there is no independent witness to support the allegations against these petitioners. The father-in-law and mother-in-law have also been extended the privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 86058 of 2024. Lastly, it is submitted that petitioner No. 6 has one criminal antecedent, in which he is on bail, while, the other petitioners have clean

WEB COPY

antecedents. These petitioners are ready to cooperate with the investigation.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances, and taking into account the fact that the allegations are general and omnibus in nature, that the husband, father-in-law and mother-in-law of the deceased have already been extended the privilege of bail, and that these petitioners are ready to cooperate with the investigation, accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa in connection with aforementioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

WEB COPY

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

rajan/-

U		T	

WEB COPY