

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80840 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- MOHAMMADPUR District- Gopalganj

Kanhaiya Bin S/o Shiwratan Bin @ Thag Bin Resident of village - Dipau
Pakari, P.S - Mohammadpur, District - Gopalganj, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Srivastava, Advocate
for the informant	:	Mr. Rajesh Ranjan, Advocate
		Mr. Himanshu Ranjan, Advocate
For the Opposite Party/s :		Mr. Braj Kishore Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with
Mohammadpur P.S. Case No. 133 of 2025, instituted for the
offences under Sections 80 and 238 of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner
along with the family members tortured and killed the deceased
for the non-fulfillment of demand of dowry and concealed her
dead body.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Petitioner is a Fisherman and he has no concern with the husband of the deceased. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner has got no concern in the family affairs of the deceased and her husband. Husband of the deceased is already in custody. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.07.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, husband of the deceased being in custody, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mohammadpur P.S. Case No. 133 of 2025, subject to the following conditions:



(I) One of the bailors shall be the petitioner’s own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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