

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40942 of 2022**

Arising Out of PS. Case No.-18 Year-2021 Thana- KORANSARAI District- Buxar

MUNSHI SAH Son of Kamta Sah Resident of Village - Kanjharuan, P.s.-  
Koran Sarai, Distt.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar  
For the Opposite Party/s : Mr.Amitesh Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH  
ORAL ORDER**

3    25-01-2023            Heard the learned counsel for the petitioner  
and the learned APP for the State.

The petitioner seeks regular bail in connection with Koran Sarai P.S. Case No. 18/2021, registered for the offence punishable under Sections 304(B)/34 and 120(B) of the Indian Penal Code.

The accused persons including the petitioner, who is the elder brother-in-law of the deceased victim lady, are stated to have killed the daughter of the informant on account of non-fulfillment of the demand for dowry by hanging her from a fan.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 12.3.2022. The learned counsel for the petitioner has further submitted that the petitioner has got no connection with the alleged occurrence and if at all, anybody might be responsible, it is the husband of the deceased victim lady, hence, the petitioner be directed to be released on bail as soon as the husband of the deceased victim lady surrenders before the learned court below.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the accused persons, but the



main accused person appears to be the husband of the deceased victim lady whereas, the petitioner is the elder brother-in-law of the deceased victim lady, I deem it fit and proper to direct for release of the petitioner on bail, immediately upon surrender by the husband of the deceased victim lady before the learned trial court, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of Judicial Magistrate-1st Class, Buxar in connection with Koran Sarai P.S. Case No. 18 of 2021.

The present petition stands disposed of with the aforesaid observations and directions.

**(Mohit Kumar Shah, J)**

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