

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10916 of 2015

Arising Out of PS.Case No. -161 Year- 2014 Thana -MANJHI District- SARAN

Santosh Sharma @ Santosh Kumar @ Santosh Kumar Sharma, S/o Sri
Baliram Sharma, Resident of village- Durgapur, P.S.- Manjhi, District-
Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.21584 of 2015

Arising Out of PS.Case No. -161 Year- 2014 Thana -MANJHI District- SARAN

1. Bali Ram Sharma, S/o Ram Dayal Sharma
2. Shakuntla Devi, W/o Bali Ram Sharma,
Both R/o Vill- Durgapur Manjhi, P.S- Manjhi, Dist-Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.10916 of 2015)

For the Petitioner/s : Mr. Ranjan Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Asha Devi (APP)

(In Cr.Misc. No.21584 of 2015)

For the Petitioner/s : Mr. Ranjan Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar No.1(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 25-05-2015 Heard learned counsel for the petitioners and the learned
counsel for the State.

The petitioner Santosh Sharma in Cr.Misc. No.10916 of
2015 is the husband of the deceased lady, namely, Binni. The
petitioners Bali Ram Sharma and Shakuntala Devi in Cr.Misc.

No.21584 of 2015, are father-in-law and the mother-in-law of the deceased lady. The husband has been in custody since 8.10.2014 whereas the father-in-law and the mother-in-law are in custody since 4.4.2015 in connection with Manjhi P.S. Case No.161 of 2014 registered for the offences under Sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the marriage took place in the year 2003 and out of the said wedlock, three children were born to petitioner Santosh Sharma and the deceased. It is further submitted that though allegation has been made against these petitioners that they had been torturing the deceased both physically and mentally for dowry, the said allegation was never brought forward before any forum nor there is any *Sanha* or case registered against these petitioners. Learned counsel for the petitioners further submits that these petitioners had duly informed the parents of the deceased and upon hearing they did come to their place at that point of time. Subsequently, they participated in the funeral of the lady. However, soon thereafter the present case was filed on 20.9.2014 alleging torture and stating that the victim had been killed by the husband and in-laws. Learned counsel for the petitioners submits that the entire allegations against the petitioners is an afterthought and they had,

in fact, participated in the funeral but on the basis of some murmuring and on suspicion, the present case has been lodged.

Learned counsel for the State submits that during investigation, there is no material to show that there was any previous mental torture or demand of dowry as none of the witnesses have come forward to make any such statement.

Considering the aforementioned submissions and also for want of cogent material in the case diary, let the above named three petitioners be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Chapra, in connection with Manjhi P.S. Case No.161 of 2014.

(Anjana Mishra, J)

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