

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11854 of 2017

Arising Out of PS.Case No. -198 Year- 2016 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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1. Kameshwar Ram @ Kameshwar Prasad Son of Late Hari Nandan Ram.
2. Mrs. Chandrawati Devi, W/o- Kameshwar Ram @ Kameshwar Prasad.
Both Resident of Chandpur Bela, P.S.- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B.K. Sinha, Sr. Adv.
Mr Indrajeet Bhushan, Adv.
For the Opposite Party/s : Mr. Sri Gopesh Kumar, APP
For the Informant : Mr. Rabindra Pd. Sing. Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-05-2017 The petitioners are apprehending their arrest in connection with Sohsarai P.S. Case No. 198 of 2016, registered for offences punishable under Sections 304B/34 Indian Penal Code.

Allegation against the petitioners of demand of dowry and torture and due to which the deceased committed suicide.

It has been submitted on behalf of the petitioners that petitioners are father-in-law and mother-in-law respectively and no specific allegation has been levelled against them and all the allegations are only general and omnibus in nature. It has further been submitted that the deceased committed suicide in her Naihar



and, thereafter, petitioners brought her dead body to her matrimonial house and performed last rituals but later on this false case has been lodged against them. Further the deceased was pregnant by four weeks at the time of her death and perhaps she might have taken any step for abortion and due to which she might have died.

Heard learned A.P.P. and learned counsel for the informant, they have opposed the prayer for bail. Learned counsel for the informant has submitted that due to demand of dowry and torture, the deceased committed suicide and the death of the deceased is within one year of her marriage and, therefore, the petitioners do not deserve the privilege of bail. Learned counsel for the informant has submitted that the deceased has also left a suicide note, however, the same has not been made part of F.I.R. or case diary.

Having heard both sides, considering the facts and circumstances, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Nalanda at



Biharsharif in connection with Sohsarai P.S. Case No. 198 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police.

It is also made clear that if any serious incriminating material comes against these petitioners during the course of investigation, prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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