

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46966 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- SHAHKUND District- Bhagalpur

1. Ajit Poddar, Male, aged about 20 years, Son of Tinkondi Poddar, Resident of Village - Kapsara, P.S.- Shahkund, District - Bhagalpur.
2. Tinkondi Poddar, Male, aged about 68 years, Son of Late Siyaram Poddar, Resident of Village - Kapsara, P.S.- Shahkund, District - Bhagalpur.
3. Geeta Devi, Female, aged about 48 years, Wife of Tinkondi Poddar, Resident of Village - Kapsara, P.S.- Shahkund, District - Bhagalpur.
4. Sabri Devi, Female, aged about 32 years, Daughter of Tinkondi Poddar Resident of Village - Kapsara, P.S.- Shahkund, District - Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Dilip Kumar, Advocate.
For the Opposite Party : Mr.Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 07-11-2019 Learned counsel for the petitioners is permitted to make necessary corrections in respect of age of petitioner nos. 2 and 3, in course of the day.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in a case for the offence registered under Sections 304(B), 201 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the daughter of the informant Seema Kumari was married with Ajit Poddar (petitioner no. 1) about two years before. After marriage,



accused persons started demanding money from his daughter as dowry and due to non-fulfilment thereof, accused persons used to torture his daughter physically and mentally. On 30.01.2019, the informant learnt that the accused persons killed his daughter Seema Kumari and thrown her dead body.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 02.02.2019. The petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no. 1 is the husband, petitioner no. 2 is the father-in-law, petitioner no. 3 is the mother-in-law and petitioner no. 4 is the married sister-in-law (Nanad) of the deceased. Petitioner nos. 2-4 are separate in mess and property from the husband (petitioner no. 1) of the deceased. The petitioner nos. 2-4 have got no concern with the alleged occurrence. The petitioner no. 4 is the married sister-in-law (Nanad) and she has a minor child aged about two years and there is none to take care of the said child.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R. The



petitioner nos. 2-4 are in-laws of the deceased. The petitioner no. 1 is the husband of the deceased. The main allegation is against the husband (petitioner no. 1) of the deceased.

Considering the aforesaid facts and circumstances, let the petitioner nos. 2, 3 and 4 (Tinkondi Poddar, Geeta Devi and Sabri Devi) be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bhagalpur, in connection with Shahkund P.S. Case No. 28 of 2019.

As far as petitioner no. 1 (Ajit Poddar) is concerned, he is the husband of the deceased. The onus is on him to explain the cause of death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner no. 1 (Ajit Poddar). The same is rejected in connection with Shahkund P.S. Case No. 28 of 2019, pending in the court of learned S.D.J.M. Bhagalpur.

(Sudhir Singh, J)

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