

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59767 of 2018

Arising Out of PS. Case No.-205 Year-2018 Thana- PATLIPUTRA District- Patna

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1. Bijay Kumar Singh, Son of Late Sant Singh.
 2. Suhaga Devi W/o Bijay Kumar Singh
- Both are resident of Village- Sabarchak, P.S. Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 29-01-2019 Heard the learned counsel for the petitioners, the learned Additional Public Prosecutor for the State as well as Mr. Rajeev Ranjan, the learned counsel appearing on behalf of the informant.

Petitioners apprehend their arrest in Patliputra P.S. Case No.205 of 2018 registered under Sections 304(B) and 201/34 of the Indian Penal Code.

The father of the deceased alleged that his daughter was married to Ratnesh Prasad Singh, the son of the petitioners, on 27.04.2015 in village Sabarchak, P.S. Naubatpur, District Patna. The petitioners and their son with other relatives, brother-in-law and sister-in-law were subjecting his daughter to different sorts of torture due to non-fulfillment of additional demand of



dowry. The accused persons dropped his daughter to Patna when she was pregnant. She gave birth to a child on 03.04.2017 but thereafter father-in-law, mother-in-law, brother-in-law and sister-in-law start demanding a car. The informant went to the house of his daughter situated in village Sabarchak on 17.05.2018 but there was quietness and nobody was found inside the house. They had left the house leaving his grandson crying. It is further alleged that the accused persons were carrying the dead body of his daughter near A.N. College in an Ambulance but they managed to flee away with the dead body.

Mr. Bikramdeo Singh, the learned counsel for the petitioners submits that all the allegations made in the FIR are false and concocted. The FIR does not contain any truth. In fact the daughter of the informant was living peacefully with her husband in Jabalpur. Some quarrel took place between the husband and wife for staying of Vikash Kumar at the residence of the deceased at Jabalpur and for that the deceased went inside the room and committed suicide. U.D. Case No.32/2018 was registered in Ranjhi police station situated in the district of Jabalpur. Post-mortem was also held on the dead body at Jabalpur. During the course of investigation, Vikash Kumar, the brother of the deceased revealed the entire truth but at the same



time the brother of the deceased also concealed some facts that on information about the suicide committed by his daughter, he went to Jabalpur but in fact he was residing with his sister in Jabalpur. The petitioners are father-in-law and mother-in-law of the deceased. Sister-in-law and brother-in-law of the deceased have already been granted anticipatory bail by order dated 06.11.2018, passed in Cr. Misc. No.61152 of 2018. Petitioners deserve anticipatory bail.

The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State however, vehemently opposes the prayer for anticipatory bail of the petitioners but when they were confronted with the contents of the FIR along with the U.D. case, post-mortem and the statement of the brother of the deceased recorded in para 16 of the case diary, the learned counsel for the informant could not give any satisfactory reply about the truthfulness of the FIR.

Having considered the facts aforesaid and the fact that the petitioners are father-in-law and mother-in-law of the deceased, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned CJM, Patna in connection with Patliputra P.S. Case No.205 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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