

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20449 of 2020

Arising Out of PS. Case No.-612 Year-2019 Thana- ISLAMPUR District- Nalanda

DEVENDRA NATH SINGH Son of Late Keshwar Mahto Resident of Village
- Satyarganj, P.S.- Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Prasad Singh No.2

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2020 The Court proceeding has been conducted through
virtual mode.

The petitioner being the father of the husband of the
victim is apprehending arrest in a case registered for the
offences punishable under Sections 304B/34 of the IPC and
Sections 3 and 4 of Dowry Prohibition Act.

The prosecution case, as per the written report of
Dashrath Prasad, submitted to the SHO, Islampur Police Station
is to the effect that on 9.12.2019, some person from in-laws side
of his daughter, informed that the informant's daughter has been
killed by her in-laws' people by hanging and her dead body has
been disposed of. Thereafter, the informant went to her
daughter's in-laws house who was married with the son of the
petitioner, namely, Saurabh Kumar alias Sonu on 3.7.2017, but



subsequent to the marriage, there was dowry demand of Rupees Ten Lacs and due to non-fulfillment of the same, torture was inflicted and as a result of the same, the daughter of the informant committed suicide.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the victim, who has been granted regular bail by the learned ADJ-I, Hilsa vide BP No. 171 of 2020 on the ground that the victim was found to have committed suicide as the door was locked from inside and there was no injury on the person of the victim.

Learned APP submits that the petitioner is named in the FIR and all the in-laws people have killed the victim after a little more than three years of marriage.

Considering the fact that thrust of accusation is against the husband of the victim who has been granted bail and the accusation being omnibus and general against the entire in-laws family, let the petitioner above named in the event of arrest of arrest or surrender be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda at Biharsharif, in connection with Islampur P.S. Case No. 612 of 2019.



However, in view of the present pandemic, Covid 19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda at Biharsharif, in connection with Islampur P.S. Case No. 612 of 2019.

The learned Court below will further be at liberty to extend the period of provisional bail further if the Court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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