

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21699 of 2020**

Arising Out of PS. Case No.-33 Year-2020 Thana- BHORE District- Gopalganj

SHIVNATH DUBEY S/O Late Gorakh Dubey R/O - Shukl Dumar, P.S. -  
Bhore, Distt.- Gopalganj.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

**Appearance :**

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate.  
For the State : Mr. Mithilesh Kumar Khare, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

**ORAL ORDER**

4      02-11-2020                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Bhore  
P.S. Case No.33 of 2020 registered under Sections 304(B) and  
120(B)/34 of the Indian Penal Code.

The accusation is that the marriage of the deceased  
Manisha, the sister of the informant Vivek Kumar Pandey, was  
performed with Rahul Dubey, son of the petitioner Shivnath  
Dubey, on 17.05.2019 and, thereafter, she was sent in Bidai to  
her Sasural with gifted articles but she was being tortured for  
demand of four wheeler vehicle in dowry there. Lastly, she was  
killed on 01.02.2020 by her father-in-law Shivnath Dubey  
(petitioner) and Sangeeta Dubey and Chhoti Dubey, the



daughters of the petitioner, by pressing the neck.

Learned counsel appearing on behalf of the petitioner submits that, admittedly, the petitioner is the father-in-law of the deceased Manisha. In fact, Rahul Dubey, the husband of the deceased Manisha, used to reside outside the State of Bihar, due to that reason, there was dispute in between Rahul Dubey and his wife Manisha (deceased) and the deceased committed suicide by hanging herself in the night. At that time, the petitioner had gone to attend the function of 'Astha Jaap' at the temple and when he returned from there, then he found the door of the house locked inside and, anyhow, the door of the house was opened, and, then, the petitioner found the deceased Manisha in hanging condition. Thereafter, the information in this regard was given to the informant, who participated in the funeral of the deceased Manisha but, with an ulterior motive, the informant lodged the present case. Further submission is that the witnesses in paragraphs-54, 55, 57 and 58 of the case diary have also stated this fact that the petitioner was not present at house in the night of the occurrence rather he had gone to attend the function of 'Ashta Jaap' at the temple. Moreover, in the post-mortem examination of the dead body of the deceased Manisha, the cause of her death has been shown as asphyxia due



to hanging. The petitioner is in custody since 02.02.2020 and, on investigation, the police has already submitted the charge-sheet against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Bhore P.S. Case No.33 of 2020.

**(Rajendra Kumar Mishra, J)**

P.S./-

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