

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24065 of 2020

Arising Out of PS. Case No.-277 Year-2019 Thana- DINARA District- Rohtas

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1. Usha Devi Wife of Shyam Bihari Sah Resident of Village- Bisi Kala, Thana- Dinara, District- Rohtas.
 2. Shyam Bihari Sah Son of Late Chabila Sah Resident of Village- Bisi Kala, Thana- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Tiwary

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-11-2020 Heard learned counsel for the petitioners as well as learned A.P.P. for the State through video conferencing.

The petitioners seek bail in Dinara P.S. Case No. 277 of 2019, registered for the offence under Sections 304B/34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was married with co-accused Dharmendra Gupta (son of petitioners) in the year 2015 and it is alleged that after one year of marriage, all the accused persons including petitioners started demanding dowry and due to non-fulfillment of the same, the daughter of the informant was subjected to torture and cruelty. It is further alleged that on 03-10-2019 in the morning at



6:30, the son-in-law of informant Dharmendra Gupta (co-accused) informed the informant on phone that her daughter was serious and she died and as such, after receiving this information, the informant went there and found her daughter lying dead on a cot.

It is submitted on behalf of petitioners that petitioners are mother-in-law and father-in-law of the deceased. There is general and omnibus allegation. It is further submitted that petitioners were living separately and have got no concern with the affairs of the deceased. It is further submitted that as per *post-mortem* report, the cause of death is asphyxia due to hanging. These petitioners are in custody since 07-11-2019.

Considering the aforesaid facts and circumstances and period of custody, the bail application of petitioners is allowed. Let the above-named petitioners 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 learned S.D.J.M., Sasaram in connection with Dinara P.S. Case No. 277 of 2019, G.R. No. 1531 of 2019 on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the



Court and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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