

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28270 of 2020

Arising Out of PS. Case No.-192 Year-2019 Thana- BIKRAMGANJ District- Rohtas

1. Arun Kumar Singh (M), aged about 65 years, S/o Late Chandrama Singh, Resident of Village Kastar, P.O. Kastar Mahadeo, P.S. Bikramganj, District Rohtas.
2. Ramawati Devi (F), aged about 60 years, W/o Arun Kumar Singh, Resident of Village Kastar, P.O. Kastar Mahadeo, P.S. Bikramganj, District Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. N.K. Agrawal, Senior Advocate
For the State	:	Mr. Surendra Kumar, APP
For the Informant	:	Mrs. Priyanka, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 16-12-2020 Heard Mr. N.K. Agrawal, the learned Senior Counsel for the petitioners, Mr. Surendra Kumar, the learned Additional P.P. and Mrs. Priyanka, the learned counsel appearing on behalf of the informant through video conferencing.

The petitioners seek bail in Bikramganj P.S. Case No.192 of 2019, registered under Sections 304(B), 201 and 34 of the Indian Penal Code.

The informant, father of the deceased, disclosed that one utensil seller informed him that his daughter was done to death by her husband and in-laws. The informant after having received such information went to the house of his daughter and found the dead body of her daughter kept for cremation. The informant further alleged that he married his daughter with Pawan Kumar @



Munna in the year 2016, but after marriage, her husband and in-laws began to demand Rs.3,00,000/- as additional dowry and for that they were torturing his daughter. A *panchayati* was also held and the husband and other in-laws had agreed not to torture his daughter due to non-fulfillment of additional demand of dowry.

Mr. N.K. Agrawal, the learned Senior Counsel for the petitioners submits that the petitioners are father-in-law and mother-in-law of the deceased. There is omnibus and general allegations against all the family members. The petitioners are living separately from their son, Pawan Kumar. It is further submitted that the deceased never complained that the petitioners ever demanded any dowry or tortured her for non-fulfillment of additional demand of dowry. Kamlesh Kumar, the brother-in-law of the deceased has already been enlarged on regular bail vide order dated 09.09.2020, passed in Cr. Misc. No.23200 of 2020. Petitioners are in custody since 03.01.2020. Petitioners being father-in-law and mother-in-law have remained in jail for about 11½ months.

The learned Additional P.P. as well as Mrs. Priyanka, the learned counsel for the informant vehemently opposed the prayer for bail of the petitioners and submit that from perusal of the inquest report and the post-mortem report, it would appear that the deceased was strangled to death and the husband is still



absconding, therefore, the petitioners do not deserve bail.

Perused the records. Petitioners are father-in-law and mother-in-law of the deceased. The informant made allegation that the petitioners also subjected his daughter to torture due to non-fulfillment of additional demand of dowry but no specific allegation is made against the petitioners. Even the deceased during her life time did not make any complain about the demand of dowry and torture at the hands of the petitioners. The post-mortem report shows that the deceased was strangled to death but no other ante-mortem external injury was found. Petitioners being father-in-law and mother-in-law have remained in jail for about 11½ months and one of the brothers-in-law has already been granted regular bail.

Considering the facts aforesaid, petitioners, namely, Arun Kumar Singh and Ramawati Devi are directed to be enlarged 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 A.D.J., 1st, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No.192 of 2019.

(Prabhat Kumar Jha, J)

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