

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32298 of 2020

Arising Out of PS. Case No.-79 Year-2019 Thana- SIKARHATTA District- Bhojpur

1. KAMESHWAR RAJBANSI son of Late Nathuni Rajbanshi Resident of Village - Panwari, P.S. - Sikarhatta, District - Bhojpur.
2. Nirmala Devi Wife of Kameshwar Rajbanshi Resident of Village - Panwari, P.S. - Sikarhatta, District - Bhojpur.
3. Surendra Ram Son of Kameshwar Rajbanshi Resident of Village - Panwari, P.S. - Sikarhatta, District - Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Binod Kumar Singh, Advocate Mr. Sumeet Kumar Singh, Advocate
For the Opposite Party State:	:	Smt. Asha Devi, APP
For the Informant	:	Mr. Babunandan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-12-2020 Heard Mr. Binod Kumar Singh, learned counsel appearing on behalf of the petitioners, Smt. Asha Devi, learned Additional Public Prosecutor, for the State of Bihar and Mr. Babunandan Prasad, learned counsel for the informant.

This application for grant of regular bail arises out of Sikarhatta P.S. Case No. 79 of 2019, registered for the offence punishable under Section 304(b), 120(B), 201/34 of the Indian Penal Code.

Petitioner No.1 is the father-in-law, petitioner No.2 is the mother-in-law and the petitioner No.3 is the brother of the husband of the deceased. There is allegation in the First Information Report that the deceased was married on



10.05.2019 to the son of petitioner No. 1 and petitioner No.2. They were making demand for dowry. The deceased died on 18.06.2019.

Learned counsel appearing on behalf of the petitioners has submitted that it was because of matrimonial dispute between the deceased and her husband that the deceased appears to have committed suicide and the allegation of demand of dowry has been made only for adding gravity to the occurrence. The deceased is said to have died on 18.06.2019 and the dead body was cremated on the same day in the presence of the informant. He filed the First Information Report four days thereafter, which is apparently an afterthought, learned counsel for the petitioner has contended. He has further argued that the petitioners have been implicated only because they are near relatives of the deceased, who are in custody since 28.05.2020.

Learned counsel appearing on behalf of the informant has opposed the prayer for bail.

Considering the facts and circumstances and delay in lodging of the First Information Report, this application is allowed.

Let the petitioners, above named, be released 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 S.D.J.M., Bhojpur at Ara, in Sikarhatta P.S. Case No. 79 of 2019.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.



Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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