

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.33118 of 2020**

Arising Out of PS. Case No.-95 Year-2020 Thana- SULTANGANJ District- Bhagalpur

MANMOHAN TEWARY Son of Late Chandar Tewary Resident of Village-  
Kamarganj, P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                         |
|--------------------------|---|-------------------------|
| For the Petitioner/s     | : | Mr.Ajay Kumar Thakur    |
|                          | : | Mr.Udbhav               |
|                          | : | Mr.Pravin Kumar         |
|                          | : | Ms.Vaishnavi Singh      |
| For the Opposite Party/s | : | Mr.Ajay Kumar Jha (APP) |

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN  
SINGH**

ORAL ORDER

2      14-12-2020                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of  
Sultanganj P.S. Case No. 95 of 2020 registered for the offence  
punishable under Sections 304(B)/34 of the Indian Penal Code.

The petitioner is the father-in-law of the deceased,  
who was married to the petitioner's son on 24.11.2016, as  
disclosed in the F.I.R. There is allegation in the F.I.R. that  
sometimes after the marriage, the informant learnt that the  
husband of the deceased was having some illicit relationship  
with another woman. Allegedly, when the deceased objected to  
this relationship, the husband started assaulting the deceased



and asked her to tell the informant to arrange for a car, to be given as dowry. There is general allegation against the family members of the husband of the deceased of making demand of dowry. The informant was informed by the petitioner that the deceased committed suicide by hanging.

Learned counsel appearing on behalf of the petitioner has argued that, even if, what has been asserted in the F.I.R., is treated to be correct, it appears that matrimonial discord was the reason behind the differences between the husband and the wife. Allegation of demand of dowry by family members of the husband of the deceased, has been made for the sole purpose of adding gravity to the occurrence and thereby harass the family members.

On perusal of the F.I.R., I find substance in submission made on behalf of the petitioner that there is neither any specific allegation of demand of dowry against the petitioner nor there is any allegation of torture, specific against this petitioner. The petitioner being father-in-law, is in custody since 19.05.2020. The police have already submitted charge-sheet.

Considering the case of the prosecution, as disclosed in the F.I.R., in my opinion, case for grant of regular bail is



made out. This application is accordingly allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1<sup>st</sup>, Bhagalpur in Sultanganj P.S. Case No. 95 of 2020.

**(Chakradhari Sharan Singh, J)**

AKASH/-

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