

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20809 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- SURYAGARHA District- Lakhisarai

1. PRAMILA DEVI, Wife of Ram Balak Singh, Resident of Village - Chamarpur Gopalpur, Police Station - Suryagarha (Manikpur), District - Lakhisarai
2. Ram Balak Singh, Son of Late Ragho Singh, Resident of Village - Chamarpur Gopalpur, Police Station - Suryagarha (Manikpur), District - Lakhisarai

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners	:	Mr. Rama Kant Sharma, Sr. Adv. with Mr. Lakshmi Kant Sharma, Adv.
For the State	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-07-2021

Heard the parties through video conferencing.

The petitioners seek pre-arrest bail in connection with Suryagarha (Manikpur) P.S. Case No. 178 of 2020, registered under Sections 328, 304B and 120B/34 of the Indian Penal Code.

The accusation is that the informant, Ram Sagar Singh, performed the marriage of his daughter, Manisha Devi, in the year 2003 with Sablu Singh, son of Ram Balak Singh, resident of village Chamarpur Gopalpur, P.S. Suryagarha (Manikpur), district Lakhisarai, according to Hindu custom. After marriage, his daughter went to sasural while six years she was kept properly, but, thereafter, she was being tortured by her



husband and in-laws for demand of rupees two lakh. The informant went at the sasural of his daughter and tried to convince the family members, but, all in vain. In the meantime, his daughter was blessed with two issues and due to harassment both are residing with the informant. On phone he received information about torture of his daughter, then, he went and gave Rs.50,000/- with assurance to give rest money, in spite of that his daughter was being tortured saying that unless Rs.2,50,00/- will not be paid, she will be killed. On 01.09.2020, his son, Pintu Kumar, received information that his daughter has been killed by her in-laws, thereafter, he went to his sasural and informed that his daughter is dead. Informant claimed that his daughter has been killed for non-fulfillment of demand of dowry by administering poison.

Submission is that it would appear from the first information report that the marriage of Manisha Devi, daughter of the informant, was performed in the year 2003 and she died in the year 2020, as such, offence under Section 304B of the Indian Penal Code will not be applicable. Further, submission is that in fact, the daughter of the informant died a natural death, but, with ulterior motive the informant has lodged the present case. In the post mortem examination no external injury was



found, except one abrasion in the diameter of 1" x 1/2" x 1/4" on left arm and viscera is kept reserved. Further, submission is that both the petitioners are mother-in-law and father-in-law of the deceased daughter of the informant, aged about 73 years and 87 years. It is also submitted that after filing the present application, Sablu Singh, husband of the deceased, surrendered before the trial Court on 05.02.2021 and since then he is in jail custody.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Suryagarha (Manikpur) P.S. Case No. 178 of 2020 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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