

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40136 of 2020

Arising Out of PS. Case No.-48 Year-2020 Thana- BHORE District- Gopalganj

1. Rudal Kushwaha Son Of Thakur Kushwaha Resident Of Village - Bishuni Tola, P.S.- Bhorey, District - Gopalganj
2. Bidyawati Devi Wife Of Rudal Kushwaha Resident Of Village - Bishuni Tola, P.S.- Bhorey, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer- Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 26-07-2021 Heard Mr. Dhramveer, the learned Advocate for the petitioners and Mr. Ram Sumiran Rai, the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Bhorey P. S. Case No.48 of 2020, instituted for the offences under Sections 304(B), 120(B)/ 34 of the Indian Penal Code.

They are the parents-in-law of the deceased.

The accusation in the F.I.R. is that the informant saw the dead body of deceased with ligature marks on her neck. The petitioners and the husband of the deceased had threatened that if dowry is not paid, the deceased would be done to death.



The learned Advocate for the petitioners has submitted that the husband of the deceased has surrendered to the process of law. He has further submitted that the independent persons during the investigation have stated that the room in which the dead body was found hanging was broken open from outside. The deceased perhaps has committed suicide.

It has also come during the investigation that the dead body was brought down from the ceiling and while preparations were being made for cremation, the police arrived and took away the dead body and inquest was done during which the informant was present. However, no case was registered by him at that time.

The inquest and the post mortem over the dead body was performed prior to the lodging of the F.I.R. It has thus been submitted that because of their being parents-in-law of the deceased, they have been made accused in this case. The accusation is absolutely false.

Regard being had to the afore-stated facts, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their



furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Bhorey P. S. Case No.48 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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