

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.285 of 2021

Arising Out of PS. Case No.-292 Year-2020 Thana- AMARPUR District- Banka

1. MAHESH SHARMA Son of Late Singeshwar Sharma Resident of Village - Gopalpur, P.S.- Amarpur, Distt.- Banka.
2. INDRA DEVI W/o Mahesh Sharma Resident of Village - Gopalpur, P.S.- Amarpur, Distt.- Banka.
3. BALRAM SHARMA Son of Mahesh Sharma Resident of Village - Gopalpur, P.S.- Amarpur, Distt.- Banka.
4. NANDLAL SHARMA Son of Mahesh Sharma Resident of Village - Gopalpur, P.S.- Amarpur, Distt.- Banka.
5. KANJU DEVI @ MUNCHUN DEVI W/o Nandlal Sharma Resident of Village - Gopalpur, P.S.- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar
	:	Mr.Setu Prateek
For the Opposite Party/s :		Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 02-08-2021 Heard Mr. Shashank Shekhar, learned counsel
for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their
arrest in connection with Amarpur P. S. Case No. 292 of
2020, dated 07.06.2020, instituted for the offences under



Sections 341, 323, 304 (B) and 34 of the Indian Penal Code.

The petitioner nos. 1 and 2 are the parents-in-law whereas petitioner nos. 3 and 4 are the brothers-in-law of the deceased. Petitioner no. 5 is the sister-in-law.

It has been alleged in the F.I.R. that the petitioners nos. 3 and 4 had told the informant that his daughter is ill and that she is being taken to a hospital. On this information, the informant went to the hospital, only to see his daughter in a burnt condition. The accusation in the F.I.R. is that soon after the marriage of the deceased with one Jitendra Kumar Sharma, the deceased was being tortured for additional dowry.

Learned counsel for the petitioners has submitted that an absolutely false case has been instituted against them. In fact, the husband of the deceased was physically challenged and the deceased, therefore, did not want to continue with the matrimonial relationship with him. The informant actually had been advising his daughter (deceased) to continue with the relationship and a day prior



to the deceased having set herself on fire, he had also scolded her for being rigid in her approach. No sooner had the informant left the matrimonial home of the deceased, she tried to immolate herself and was successful in doing that. Very promptly, the deceased was rushed to the hospital for her treatment and simultaneously, the informant was told about the occurrence. However, because of the death of the deceased and the relationship between the two families having been snapped for all times to come, the present case has been lodged against the entire family members, perhaps for the reason of subjecting them to the pressure of acceding to unreasonable demands of the informant.

The husband of the deceased is in custody.

For the afore-noted facts, the petitioners, above named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Banka, in connection with Amarpur P. S.
Case No. 292 of 2020 subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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