

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4915 of 2021

Arising Out of PS. Case No.-196 Year-2020 Thana- PHULWARIYA District- Gopalganj

VIDYA SAGAR RAI @ VIDYA SHANKAR RAI SON OF LATE
BANGALI RAI RESIDENT OF VILLAGE- CHHATU BATHUA, P.S-
FULWARIA DISTT-GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.A.P.P

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State as
well as learned counsel for the informant.

The petitioner is the father-in-law who seeks bail in
Fulwaria P.S. Case No. 196/2020 registered for the offences
punishable under Sections 304(B)/34 of the Indian Penal Code.

As per the prosecution case, sister of the informant
was married with Anil Rai, son of the petitioner, in the year
2019 and soon after the marriage, this petitioner along with all
the F.I.R. named accused persons started demanding rupees two
lakhs and on 15.08.2020, the deceased informed the informant
on mobile phone that all the accused persons named in the F.I.R.
are torturing and assaulting her and due to non-fulfillment of the
same. It is further alleged that this petitioner along with co-
accused persons have killed the deceased by strangulation due



to non-fulfillment of demand of dowry.

It is submitted on behalf of the petitioner that petitioner is father-in-law of the deceased and he is separate in mess and business from the husband of the deceased and residing at Gopalganj. It is further submitted that there is general and omnibus allegation of demand of dowry against this petitioner. Petitioner has got no criminal antecedent and he is in custody since 17.08.2020.

However, learned counsel appearing on behalf of the informant vehemently opposed the bail application and submitted that this petitioner along with co-accused persons conspired and committed the murder of the deceased by strangulation.

Considering the fact that petitioner is father-in-law of the deceased and there is general and omnibus allegation of demand of dowry, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj, in connection with Fulwaria P.S. Case No. 196 of 2020, subject to following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

Saif/-

U		T	
---	--	---	--

