

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71363 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

-
1. Lulwa Das @ Manjir Ram @ Manjit Das, aged about 34 years (Male), Son of Ram Chandra Das, Resident of Mohalla Dharmpur, Laxmisagar, P.S. University, District Darbhanga.
 2. Ram Chandra Das, aged about 62 years (Male) Son of Late Shivjee Das, Resident of Mohalla Dharmpur, Laxmisagar, P.S. University, District Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 18-03-2021 Heard Mr. Pankaj Kumar Das, the learned counsel for
the petitioners and Mrs. Pronoti Singh, the learned Additional P.P.

The petitioners apprehend their arrest in L.N.M.U.
University P.S. Case No.31 of 2019, registered under Sections
304(B) and 34 of the Indian Penal Code.

The informant is the father of the deceased. The
informant alleged that his daughter was married with Ajay Das
five months ago in Shyama Mai Mandir, Darbhanga. After
marriage, his daughter went to her matrimonial house with Ajay
Das, but her husband Ajay Das along with Amar Das, Domni
Devi, sister of Ajay Das, Lulwas Das, the brother of Ajay Das and
all other family members started torturing Gauri Kumari. Gauri



Kumari complained about the ill treatment and on such, the informant brought his daughter to his house after a month. Ajay Das again came along with Suraj Das to the house of the informant and after much persuasion and assurance to keep his daughter properly, Ajay Das took the daughter of the informant to his house, but immediately thereafter on 02.02.2019, the informant got information that Ajay Das and his other family members including the petitioners killed his daughter.

Learned counsel for the petitioners submits that the petitioners are brother-in-law and father-in-law of the deceased. Ajay Das, the husband of the deceased, is in custody. The petitioners have no manner of concern with the family affairs of Ajay Das. During the course of investigation, the independent witnesses in para 18 and 19 disclosed that the name of the petitioners have been mentioned in the FIR only because they happened to be father and brother of the husband of the deceased and the petitioners were not even present in their house, but from perusal of the FIR, it appears that only five months before the occurrence, the deceased was married with Ajay Das and when the daughter of the informant went to her matrimonial house, Ajay Das, Amar Das, Domni Devi and another sister of Ajay Das, Lulwa Das, petitioner no.1 and Ramchandra Das all started torturing the daughter of the informant. When the informant



brought his daughter to his house, the husband and others came and persuaded the informant to allow her daughter to accompany her husband, but immediately thereafter the informant got information that his daughter was done to death. From perusal of the inquest report, it appears that the death was caused due to strangulation. The informant and other witnesses have categorically stated that the petitioners were subjecting the deceased to physical and mental torture due to non-fulfillment of demand of dowry.

Taking into consideration the facts and the later part of the investigation, it appears that some of the witnesses of course disclosed that the petitioners were outside their village on the date of occurrence, but in view of the statements made by other witnesses and the fact that the deceased was strangled to death inside her matrimonial house within five months of her marriage and the petitioners are brother-in-law and father-in-law of the deceased, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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

