

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3152 of 2022

Arising Out of PS. Case No.-487 Year-2021 Thana- NAGAR District- Vaishali

1. Krishna Das, Son of Late Anil Das, Resident of Village - Hathsarganj, P.S. - Hajipur Town, District - Vaishali.
2. Asha Devi, Wife of Krishna Das, Resident of Village - Hathsarganj, P.S. - Hajipur Town, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr.Pranav Kumar, APP
For the Informant	:	Mr. Ranjan Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-11-2022 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioners seek bail in
connection with Hajipur Town P.S. Case No. 487 of 2021
registered for the alleged offences under Sections 304(B), 201
and 34 of the Indian Penal Code.

As per prosecution case, marriage of the daughter of
the informant was solemnized with the co-accused son of the
petitioners and allegation against them is that of torturing the
daughter of the informant and demanding dowry. On the fateful



day, the informant received information about the death of her daughter and she showed her suspicion that the petitioners and co-accused caused dowry death of her daughter.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case merely on suspicion. The deceased and her husband had been living a happy conjugal life and they were living separately from other family members. General, vague and omnibus allegations have been leveled against the petitioners and there is no specific allegation against them. Learned counsel further submits that the co-accused husband of the deceased is already in custody. The petitioners are in custody since 29.06.2021 and 12.07.2021, respectively and are having clean antecedent. The charge-sheet has been submitted in the case.

Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submissions made on behalf of the petitioners. Learned counsel for the informant submits that the petitioners are named in the FIR and the dead body of the daughter of the informant was recovered and it was found tied in plastic. It shows she was killed and her dead body was thrown in the river. The postmortem report shows the cause of death to be asphyxia due to strangulation. Learned



counsel further submits that it is a case of dowry death and the petitioners are duty bound to explain the death of the daughter of the informant.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the fact that the petitioners are stated to be the parents-in-law of the deceased and the allegations are mostly general and omnibus and without attributing any specific overt act over to them and further considering their period of custody and incarceration of co-accused husband, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 487 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive



dates or in violation of the terms of the bail, the
bail bonds of the petitioners will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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