

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11649 of 2022

Arising Out of PS. Case No.-333 Year-2021 Thana- RUPASPUR District- Patna

Abhishek Ranjan Son of Binod Kumar @ Binod Kumar Singh Resident of
Saraswati Vihar Colony Ambedkar Path, Rukanpura, P.S.- Rupaspur, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Md. Anis Akhtar, Advocate
For the State	:	Mr.Renu Kumari (App 180)

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

In the present case, the petitioner seeks bail in
connection with Rupaspur P.S. Case No. 333 of 2021 registered
for the alleged offences under Sections 498(A), 323, 304(B) and
120(B) of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

As per prosecution case, the daughter of the informant
was married to the petitioner and the allegation against him is
that he and other co-accused persons used to demand dowry and
torture the daughter of the informant on account of their



demand. Further allegation against him that he and other co-accused persons assaulted and killed the daughter of the informant.

The learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case only because of the fact that the petitioner is the husband of the deceased. There is no material available on record to show the culpability of the petitioner. The deceased was suffering from some sort of mental ailment and she was treated at Ranchi Mental Arogyasala, Kanke and it has been found that she has been suffering from psychotic depressive mental disorder. Learned senior counsel further submits that in this depressive mental condition, she probably fell from the roof or jumped from the roof and suffered a number of injuries' and she was taken to the hospital by the family members of the petitioner and this fact has been noted in the FIR itself. Learned senior counsel further submits that the independent witnesses who are neighbours of the petitioner and who were examined during investigation have stated about the deceased falling from the roof and suffering injuries and the brother and father of the petitioner taking her to the hospital. Learned senior counsel further submits that the petitioner was not even present at his



house when the occurrence took place and he was in Chapra and came to the hospital on receiving the information. The petitioner is in custody since 24.08.2021 and charge sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is the husband of the deceased and the death occurred within two years of marriage.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility of accidental/suicidal death of the daughter of the informant and also considering the period of custody and the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Rupaspur P.S. Case No. 333 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 petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Rajnish/-

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

