

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65928 of 2021

Arising Out of PS. Case No.-472 Year-2021 Thana- DIGHA District- Patna

1. Kaushal Kumar Singh @ Kaushal Kumar, Son of Late Ram Karan Singh, Resident of Shivaji Nagar, Mushahari Tola, P.S.- Digha, District - Patna
2. Dewanti Devi, Wife of Kaushal Kumar Singh @ Kaushal Kumar, Resident of Shivaji Nagar, Mushahari Tola, P.S.- Digha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 11474 of 2022

Arising Out of PS. Case No.-472 Year-2021 Thana- DIGHA District- Patna

Laukesh Kumar @ Lokesh Kumar S/o Kaushal Kumar Singh Resident of Shivaji Nagar, Mushahari Tola, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 65928 of 2021)

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the State : Mr. Ashok Kumar Singh, APP

For the Informant : Mr. Dinesh Jha, Advocate

(In CRIMINAL MISCELLANEOUS No. 11474 of 2022)

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the State : Mr. Amit Kumar Rakesh, APP

For the Informant : Mr. Dinesh Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-07-2022

In Cr. Misc. No.11474 of 2022

Learned counsel appearing on behalf of the petitioner-

Laukesh Kumar @ Lokesh Kumar has submitted that he does
not want to press this application at this stage, as such, he seeks



permission to withdraw this application.

Permission is granted.

Accordingly, this application is dismissed as not pressed.

In Cr. Misc. No.65928 of 2021

Heard learned counsel for the petitioners and learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in connection with Digha P.S. Case No. 472 of 2021 registered for the alleged offences under Sections 304(B), 120(B), 201, 308 and 34 of the Indian Penal Code.

The prosecution case is that the petitioners along with other accused persons caused dowry death of the sister of the informant. The petitioners are parents-in-law of the deceased.

The learned counsel for the petitioners submits that there is nothing on record to show that any demand was made prior to the date when the alleged occurrence is said to have taken place. It appears that due to some petty dispute between the husband and wife, the sister of the informant committed



suicide and this fact gets supported by the post mortem report which shows Asphyxia due to ante-mortem ligature hanging. Otherwise, there is no injury on the body of the deceased. The allegations against the petitioners and other co-accused persons are general and omnibus and even unmarried sister-in-law and brother-in-law of the deceased have been made accused in this case. The petitioners are old and infirm and are suffering from a number of ailments. They are in custody since 23.08.2021.

Learned APP as well as learned counsel for the informant opposes the prayer for bail submitting that there is direct allegation against the petitioners that they caused the death of the sister of the informant and death took place within three years of marriage.

Perused the records.

Having regard to the submissions made hereinabove and considering the fact that the petitioners are parents-in-law of the deceased and the allegations are general and omnibus and further considering their period of custody, let the petitioners above named 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 Sub-Divisional Judicial Magistrate, Patna in connection with Digha P.S. Case



No.472 of 2021, subject to 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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

