

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16453 of 2022

Arising Out of PS. Case No.-344 Year-2020 Thana- SASARAM NAGAR District- Rohtas

Ramashish Singh Son Of Late Kanhaiya Singh R/O Mohalla- Pathan Toli,
P.S.- Sasaram Nagar, District- Rohtas At Sasaram

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioner, State and
the informant.

The petitioner who is father-in-law of the deceased, is in judicial custody in connection with Sasaram Nagar P.S. Case No. 344 of 2020 under section 498(A)/302/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The allegation in the FIR narrated by the informant is that the deceased lady, his daughter was married to one Binod Singh, son of the petitioner herein, in 2009. However, since then he had made the life of the victim miserable, inasmuch as, she was regularly beaten by her husband for dowry. The informant tried his best to compromise the matter and also sought help from the Protection Officer, Mahila Helpline. In 2016-2017, the matter was reconciled in the joint meeting and



the lady thereafter was living with her husband.

However, just prior to the incident, the husband of the victim lady demanded Rs. 20000/- which the informant obliged but once again he demanded Rs. 20000/- which was refused by him. It is alleged that thereafter the present incident happened in which the informant's daughter is now no more.

Learned counsel for the petitioner submits that he is father-in-law of the deceased lady, had nothing to do with the family matters of the couple and was living although in the same house but separately from his son and the deceased lady. He further submits that due to his implication in this case he has already suffered by being in jail since 3.10.2021 (as narrated in para-15 of the bail application). The fact remains that both the children of the deceased lady are being taken care by the family members including his wife. He further submits that he is ready to abide by the all terms and conditions, if granted the privilege of bail.

Learned counsel for the informant on the other hand submits that the allegation has been levelled against the entire family members of torturing and finally killing the lady in question. He as such submits that the role of the father-in-law cannot be overruled.



This Court has gone through the materials on record and has found that the main allegation in the FIR is against the son of the petitioner namely Binod Singh who had married the lady and was duty bound to protect her. Further allegation against him is of beating lady every now then and demanding the amount from the informant which at times he obliged but lastly his refusal led to the husband allegedly taking extreme steps as alleged in the FIR.

Further taking into account the fact that charge-sheet stands submitted and the petitioner is in jail since 3.10.2021 and is 65 years of age, this Court is inclined to grant him the privilege of bail with certain conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned Additional District Judge-11, Rohtas at Sasaram, in S.T. No. 167 of 2021 arising out of Sasaram Nagar P.S. Case No. 344 of 2020 subject to the following conditions:

- (i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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