

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17562 of 2022

Arising Out of PS. Case No.-411 Year-2021 Thana- RUPASPUR District- Patna

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Dhaneshwar Chaudhary, Son of Late Mangal Chaudhary Residnet of Village -
Rupaspur, P.S. - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
		Mr.Lakshmi Kant Sharma, Adv.
For the Opposite Party/s :		Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-07-2022 Heard learned Senior Counsel for the petitioner and

Mr. Jitendra Kumar Singh learned APP for the State through

video conferencing in view of COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner, father-in-law of the deceased lady is in
custody since 23.12.2021 in connection with Rupaspur P.S. Case
No.411 of 2021 instituted under Section 304B, 498A/34 of the
Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation in the FIR is that the informant had
married his daughter with Sudhir Kumar, son of the petitioner
herein in 2018. However, despite given hefty sum at the time of
the marriage the demand was always there and his daughter
always complained that if the same is not fulfilled, she may be



killed.

On 16.08.2021 he got a telephonic message that his daughter has been killed by the husband and the inlaws. Accordingly the present FIR came to be instituted.

Learned Senior Counsel for the petitioner submits that the petitioner is the father-in-law while his son Sudhir Kumar, husband of the deceased lady is in custody. He further submits that due to financial problem, the couple was under mental distress and the lady committed suicide but her family members upon knowledge, stormed their house and looted their ornaments and all that which was kept for his daughter's marriage.

He submits that even otherwise he had no role to play in the alleged death of the deceased lady and further he has no criminal antecedent and is languishing in jail since 23.12.2021 (as stated in para-16 of the bail application).

Taking into account the fact that the petitioner is the father-in-law, the son namely Sudhir Kumar is in judicial custody, charge-sheet has been submitted and the petitioner is in custody since 23.12.2021, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing



bail bond of Rs.15,000/-(Rupees Fifteen Thousand) with two sureties of the like amount each in connection with Rupaspur P.S. Case No.411 of 2021 to the satisfaction of learned Additional Chief Judicial Magistrate, IInd, Danapur, Patna, subject to following conditions:

(i) one of the bailor should be the family member 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 cancellation of his bail by the Trial court itself;

(iii) the petitioner 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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