

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45185 of 2021

Arising Out of PS. Case No.-294 Year-2019 Thana- BIKRAMGANJ District- Rohtas

Dinesh Singh, S/O Late Ram Bachan Singh, R/O Village-Raghunathpur, P.S-
Karakat, District- Rohtas (Sasaram)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vaishnavi Singh, Advocate Mr. Arvind Kumar Pandey, Advocate Mr. Pravin Kumar, Advocate
For the Opposite Party/s :		Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-02-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 24.02.2021,
seeks regular bail in connection with Bikramganj P.S. Case No.
294 of 2019, registered for the offences punishable under
Sections 304(B)/34 of the Indian Penal Code.

Allegation against the accused persons is of
committing torture and assault and thereafter caused death of
the victim due to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner

submits that petitioner has made specific statement in paragraph No.10 of the bail petition that he was married with Renu Devi, who is the *Nanad* of victim, as back as in the year 1991 and since marriage he is residing at his village alongwith his family and he has adult son and three daughters and has nothing to do affairs of family of his in-laws, neither he was present on the date of alleged instance nor he had any concern with the family of his in laws. There is no specific allegation against him that he assaulted and demanded dowry. He further submits that other two co-accused father-in-law and sister-in-law have already been released on bail with whom the victim used to petitioner to be released on regular bail which is in custody since 24.02.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that serious allegation has been made against him of demand of dowry. This is a case of dowry death and taking into consideration the stringent provision of Section 304B and seriousness of the offence, the petitioner above named does not deserve to be regular bail.

Considering the aforementioned facts and circumstances of the case, the petitioner is the *brother in law* of the husband of the victim and he is of another village living separately. Petitioner is having fulfilled family and has no

concerned with the family affairs of his brother in law or father-in-law. His father-in-law and similarly situated one co-accused namely, Rupa Kumari who is his wife, have already been released on bail by a Co-ordinate Bench of this Court vide Cr. Misc. Case No. 7669 of 2021 vide order dated 13.01.2022 and Cr. Misc. Case No. 7279 of 2021 vide order dated 13.01.2022 respectively. The petitioner above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 294 of 2019, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature

of offence, after his release on bail, the trial Court shall take
steps to cancel his bail bonds.

(Purnendu Singh, J)

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