

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50590 of 2021

Arising Out of PS. Case No.-13 Year-2021 Thana- AKHODHIGOLA District- Rohtas

1. Sanjay Chandravanshi Son of Late Sipahi Chandravanshi Resident of Village- Tetrah, P.S.- Akorhi Gola, District- Rohtas, Bihar.
2. Rita Devi Wife of Sanjay Chandravanshi Resident of Village- Tetrah, P.S.- Akorhi Gola, District- Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Advocate
For the Informant	:	Mr. Digvijay Kumar Ojha, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-02-2022 Heard learned counsel for the petitioners, learned counsel for the informant and Mr. Zainul Abedin, learned A.P.P. for the State through virtual court proceedings.

The petitioners seek bail in connection with Akorhi Gola P.S. Case No. 13 of 2021 instituted for the offences under Sections 304B and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are in custody since 29.01.2021, are persons with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioners submits that the informant in the F.I.R. alleges that his daughter was married to



Deepak Kumar on 28.06.2020 and after marriage the accused persons were demanding Rs. one lakh by way of dowry when Rs. two lakhs and a motorcycle were given as gift during marriage. It is further alleged that on account of non-fulfillment of the dowry demand, the accused persons including the petitioners killed his daughter by strangulating her.

Learned counsel for the petitioners submits that informant admittedly is not an eye-witness to the occurrence. Further, the allegation that the petitioners strangulated the deceased appears to be general and omnibus for the reason that the same was not witnessed by the informant. Learned counsel further submits that the husband of the deceased, Deepak Kumar is in custody and it was the primary responsibility of the husband towards the well-being of his wife.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioners and it is submitted that the postmortem report discloses that the deceased was killed by strangulation and also there were marks of earlier injury on the body of the deceased which clearly demonstrate that the deceased was killed by strangulation and was also assaulted.

Learned counsel for the petitioners submits that



petitioners are separate in mess with the husband of the deceased and they don't interfere in day-to-day affairs of their son and whatever happened, that happened between the husband and the deceased.

Considering the fact that the petitioners are in custody since 29.01.2021, charge-sheet has been submitted in the case, the petitioners are persons with clean antecedent, are father-in-law and mother-in-law of the deceased and the husband of the deceased is in custody, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Dehri, Rohtas in connection with Akorhi Gola P.S. Case No. 13 of 2021.

(Satyavrat Verma, J)

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