

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42721 of 2022

Arising Out of PS. Case No.-90 Year-2021 Thana- ROHTAS District- Rohtas

Shiv Narayan Sharma @ Sri Narayan Sharma Son of late Jeet Bandhan
Sharma @ Jitan Sharma Resident of village- Thumha, P.S- Rohtas, Dist-
rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rupa Kumari, Advocate

Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

In the present case, the petitioner seeks bail in connection with Rohtas P.S. Case No. 90 of 2021 registered for the alleged offences under Sections 304B/34 of the Indian Penal Code.

As per prosecution case, the informant was intimated by his co-accused son-in-law that his daughter committed suicide by hanging herself. When the informant reached the cremation ground the petitioner, the father-in-law of the deceased, and other co-accused fled away from the spot. Informant showed his apprehension that his daughter was strangled to death. The informant has also alleged that earlier also there used to be quarrel between the daughter and his son-



in-law and there was also demand of dowry.

Learned counsel for the petitioner submits that the petitioner is the father-in-law of the deceased and he is innocent and has been falsely implicated in this case. The petitioner has been living separately from the deceased and her husband who got separated from this petitioner under the influence of the deceased. From the FIR it is also clear that demand of dowry was made by the co-accused son of the petitioner and there was fight between the deceased and her husband and there is no allegation against this petitioner. Learned counsel further submits that the son of the petitioner is already in custody. The deceased has two children from the wedlock and prior to the present occurrence there has never been any complaint of demand of dowry or torture by the informant. Now the informant has also filed a petition before the learned trial court that due to mistake he has lodged the present case and the petitioner is in custody since 16.04.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that petitioner is the father-in-law of the deceased and there is allegation of causing dowry death.

Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the fact that the petitioner is the father-in-law of the deceased and there appears no substantive material to connect him with the offence as alleged and further considering his period of custody along with clean antecedent of the petitioner and the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dehri-on-Sone, Rohtas in connection with Rohtas P.S. Case No. 90 of 2021 , subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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