

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57487 of 2021

Arising Out of PS. Case No.-287 Year-2020 Thana- CHOUTARWA District- West
Champaran

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1. Angad Kushwaha @ Dilip Kushwaha Son of Ramsis Kushwaha @ Ramashish Kushwaha Resident of Village- Bashwaria, P.S.- Chautarwa, District- West Champaran.
 2. Ramsis Kushwaha @ Ramashis Kushwaha Son of Late Chokat Mahato Resident of Village- Bashwaria, P.S.- Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary,Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 01-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Chautarwa P.S. Case No. 287 of 2020, registered for the offence under Section 302, 304(B) and 201 / 34 of the Indian Penal Code.

As per the F.I.R., petitioners alongwith other family members committed the murder of daughter of the informant due to non-fulfillment of demand of dowry. Petitioner no. 1 is husband of the deceased, whereas petitioner no. 2 is father-in-law of the deceased.

It is submitted on behalf of petitioners that there is general and omnibus allegation. Petitioners neither demanded



any dowry nor tortured the deceased. As a matter of fact, all of a sudden, a pain developed in the stomach of deceased, for which, while the deceased was being taken to hospital, on the way, she died. So far as petitioner no. 2 is concerned, he is father-in-law of deceased and he was living separately and had got no concern with the family affairs of deceased and her husband (petitioner no. 1). Petitioners are in custody since 03.02.2021.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific allegation of demand of dowry couple with torture against petitioner no. 1, who is husband of the deceased, and petitioner no. 1 in connivance with petitioner no. 2 (father-in-law) and other in-laws members committed the murder of deceased by pouring kerosene oil on her body and set her on fire. The deceased died within seven years of marriage in an unnatural circumstances.

Considering the aforesaid facts and circumstances, the prayer for bail of petitioner no. 1, who is husband of deceased, is rejected.

So far as prayer of bail of petitioner no. 2 namely Ramsis Kushwaha @ Ramashis Kushwaha is concerned, since he is father-in-law of deceased and there is general and omnibus allegation against him, he is directed to be released on bail on



furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bagaha, District – West Champaran in connection with Chautarwa P.S. Case No. 287 of 2020.

The petition stands disposed of.

(Prabhat Kumar Singh, J)

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