

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58681 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- SISWAN District- Siwan

Yogendra Singh S/O Late Manan Singh R/O Village-Dera Ray Ke Bangra,
P.S-M.H. Nagar, District-Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 26-09-2022 Let the defects, if any, be removed within four weeks from today.

Heard Mr. Gajendra Kuamr Singh, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection with M. H. Nagar P.S.Case No. 11 of 2021 for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

The prosecution case is based on a written report filed by the petitioner alleging therein that the marriage of the informant was solemnized with the son of the petitioner just ten months earlier. It is further alleged that the daughter



of the informant lived peacefully for about 4 to 5 months and thereafter, all the accused persons started demanding dowry and on account of non fulfillment of demand of dowry she was subjected to torture. It is also alleged that from 09.01.2021, the accused persons informed him with regard to death of his daughter.

Learned counsel for the petitioner submits that petitioner happens to be father-in-law of the deceased and ...no specific allegation has been levelled against him, rather general and omnibus allegation has been levelled against all the family members. He next submits that in fact, it is a case of suicide as the deceased was not happy with the marriage and on account of some trifling issues, she committed suicide, which is corroborated by the post mortem report wherein no external injuries have been found, save and except ligature mark over her neck, and the doctor has opined the cause of death is asphyxia due to strangulation. He last submits that so far as husband is concerned, he is in judicial custody and now the petitioner being an old father-in-law of the deceased is in custody since 08.08.2021 and till date even the case is not



committed to the court of session.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner along with all the family members have committed the death of the deceased on account of non fulfillment of demand of dowry.

Regard being had to the facts that the petitioner happens to be father-in-law of the deceased is in custody since 08.08.2021 and there is no specific allegation against him and so far as the husband is concerned, he is in custody and there is no likelihood of commencement of trial in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judicial Magistrate, Siwan in connection with M.H.Nagar P.S.Case No.11 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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