

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51908 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- UJIYARPUR District- Samastipur

1. Ram Babu Sah Son of Shivjee Sah Resident of Village- Nikaspur, P.S.-
Ujiyarpur, District- Samastipur
2. Manju Devi Wife of Ram Babu Sah Resident of Village- Nikaspur, P.S.-
Ujiyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Kundan Kumar, learned counsel appearing on behalf of the petitioners and learned APP for the State through video conferencing.

The petitioners seek regular bail, who are in custody in connection with Ujiyarpur P.S. Case No. 113 of 2022 registered for the offences punishable under Section 304B/34 of the Indian Penal Code.

The prosecution case is based on a written report filed by the informant alleging therein that the marriage of the



informant was solemnized with Amarjeet Sah, son of the petitioners, in the year 2019. It is further alleged that on 04.04.2022, he received an information that his sister killed herself by hanging. It is next alleged that prior to the occurrence all the accused persons, including the petitioners, used to demand dowry and on account of non fulfillment of the same, she was subjected to torture and finally she was done to death by them.

Learned counsel appearing on behalf of the petitioners submits that from the FIR it is evident that no specific allegation has been levelled against the petitioners, who are father-in-law and mother-in-law, respectively. He further submits that so far the husband of the deceased is concerned, he is already in custody. He also submits that the deceased was having pregnancy of four months' and save and except an injury near the chin, no other injuries have been found over the body of the deceased and in fact it was a case of suicide, on account of some altercations which took place between the husband and the wife and, moreover, prior to the alleged occurrence, there has never been any complaint against the petitioners with regard to the demand of dowry and ill torture. He lastly submits that the petitioners are in custody since 18.05.2022 and 08.06.2022,



respectively, and they are ready to give undertaking that they will fully co-operate in the trial.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners are father-in-law and mother-in-law of the deceased and there is no specific allegation and, moreover, the husband of the deceased is already in custody, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dalsinghsarai, Samastipur in connection with Ujiyarpur P.S. Case No. 113 of 2022, 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 petitioners will cooperate in conclusion of the trial.

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

(iii) They 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, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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