

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70061 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- PATEPUR District- Vaishali

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1. Baidhnath Ram @ Baidhyanath Ram, S/o Butan Ram Resident of Village - Karamvari, P.S. - Paroo, District - Muzaffarpur.
 2. Meena Devi, W/o Baidhnath Ram @ Baidhyanath Ram Resident of Village - Karamvari, P.S. - Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-10-2022 Heard learned counsel for the petitioners and learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks.

In the present case, the petitioners seek bail in connection with Patepur P.S. Case No. 108 of 2020, registered for the alleged offence under Section 304(B) of the Indian Penal Code.

As per prosecution case, the daughter of the informant committed suicide by sprinkling kerosene oil on herself due to torture by the petitioners and other co-accused persons on account of their demand of dowry.



The learned counsel for the petitioners submits that the petitioners are parents-in-law of the deceased and they never demanded any dowry or never tortured the deceased for fulfillment of the same. The FIR has been lodged after a delay of almost four months for which there is no explanation. The deceased never reported to her parents regarding demand of dowry by the petitioners prior to her death. It is apparent from the FIR that the petitioners were not present at the spot. The co-accused husband of the deceased is already in custody and these petitioners are in custody since 04.06.2021. Charge sheet has been submitted.

The learned APP opposes the prayer for bail submitting that the petitioners compelled the daughter of informant to commit suicide and they used to harass the daughter of the informant on account of non-fulfillment of their demand for dowry.

Having regard to the facts and circumstances and rival submissions and considering the fact that the allegations against the petitioners are not specific and there appears no cogent material on record to connect the petitioners with the alleged offence and place of occurrence is also stated to be the house of the informant as it appears from paragraph 5 of the case diary



and further considering the submission of charge sheet and period of custody of the petitioners, they are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Vaishali at Hajipur, in connection with Patepur P.S. Case No. 108 of 2020, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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