

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69627 of 2021

Arising Out of PS. Case No.-301 Year-2021 Thana- BALIYA District- Begusarai

-
1. DASHRATH CHAUDHARY Son of Late Santoshi Chaudhary Resident of Village - Bhagatpur, Ward No.- 08, P.S.- Ballia, District - Begusarai.
 2. Bimla Devi Wife of Dashrath Chaudhary Resident of Village - Bhagatpur, Ward No.- 08, P.S.- Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-05-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioners seek bail in a case registered for the
offences punishable under Sections 304(B), 306 and 498(A)/34
of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are in custody since 18.09.2021, are persons with
clean antecedent and charge-sheet has been submitted in this
case. Petitioner No. 1 is the father-in-law and Petitioner No. 2 is
the mother-in-law of the deceased.

The informant alleges that his daughter was married



to Ajay Chaudhary three years back. The marriage was love marriage, as such, informant did not maintain any relation with his daughter while his daughter used to talk to his wife i.e. her mother. From the wedlock, a girl child was born. Thereafter, the accused persons started torturing and demanding dowry from the deceased. Further, on 17.09.2021, the police informed that his daughter has committed suicide.

Learned counsel for the petitioners submits that informant is not an eyewitness to the occurrence and as per allegations made in the FIR, it would manifest that the informant was not maintaining any relations with the deceased. Further, since the marriage was a love marriage, question of dowry does not arise. Learned counsel further submits that petitioners are innocent and whatever happened between the husband and the wife on account of which the occurrence took place. Learned counsel submits that husband of the deceased had come to the Court to surrender but on account of reference in the Court, the surrender could not be done today but assures the Court that the husband of the deceased will surrender within one day or two. It is further submitted that from perusal of the allegation as alleged in the FIR, it would also manifest that the allegations are also general and omnibus in nature lacking in



detail.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody since 18.09.2021, are persons with clean antecedent and charge-sheet has been submitted in this case and the learned counsel assures that the husband of the deceased will surrender, the petitioners, above named, are directed to 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 the learned Court below where the case is pending in connection with Baliya P.S. Case No. 301 of 2021, subject to the condition that the petitioners shall be released only after the husband of the deceased will surrender in the learned court below.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

