

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72052 of 2021

Arising Out of PS. Case No.-82 Year-2021 Thana- CHANDRAMANDI District- Jamui

1. RAJKUMAR DAS Son of Late Laxaman Das Resident of Village- Charaiya, P.S.- Simultalla, District- Jamui
2. Parwati Devi Wife of Rajkumar Das Resident of Village- Charaiya, P.S.- Simultalla, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhusan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 1 is father-in-law of the deceased aged about 70 years and petitioner no. 2 is mother-in-law of the deceased aged about 66 years and the informant alleges that his daughter was married to Sunil Das in the year 2018, further six months after marriage they started torturing her for dowry, it is next alleged that his



daughter came back to her parental home from where her husband came and again took her back to her matrimonial home where it is alleged that all the accused persons, including the petitioners, poured kerosene oil over her body and set her ablaze and later she was brought to Chakai Hospital and from Chakai Hospital she was referred to Deoghar and from Deoghar she was brought to Ranchi and in course of treatment she died on 26.05.2021.

Learned counsel for the petitioners submits that from bare perusal of allegation as alleged in the FIR it would manifest that there are general and omnibus allegations against the petitioner with regard to demand of dowry and setting ablaze the deceased, it is next submitted that informant is not an eye-witness to the occurrence and there is an inordinate delay in instituting the FIR as the date of occurrence is 21.05.2021 and the FIR came to be instituted on 27.05.2021. Learned counsel next submits that if what has been alleged in the FIR is true then it was a case of burning and no hospital would have admitted the deceased without informing the police but the fact that police was not informed by the hospital that in itself demonstrates the falsity of the allegation, it is next submitted that all deaths are not dowry deaths and the conduct of the



petitioners including their family members shows that they made all efforts to save the deceased by taking her to all hospitals where she was referred.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chandramandih P.S. Case No. 82 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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