

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12361 of 2023

Arising Out of PS. Case No.-146 Year-2020 Thana- SIKRAUL District- Buxar

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LAXMAN SINGH S/O Late Vishwanath Singh, R/O Village- Barkago Tola,
P.S- Sikraul, District- Buxar. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak
For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 12-05-2023 Heard the learned counsel for the petitioner as well as

the learned counsel for the informant.

The petitioner is seeking regular bail in connection
with Sikraul P.S. Case No. 146 of 2020, registered for offence
punishable under Sections 498(A), 365/34 and 304(B) of the
Indian Penal Code.

As per allegation, the marriage of Pinki Devi was
solemnized with co-accused Deepak Singh. In the night of
17.11.2020, the informant got an information that co-accused
Deepak Singh had committed murder of his daughter. When the
informant went to the matrimonial house of his daughter, he
came to know that Deepak Singh, Raju Singh, Rahul Singh,
Arun Singh and Laxman Singh had concealed the dead body of
the deceased after killing her. There is allegation of demand of
dowry against the accused persons, including the petitioner.



The learned counsel for the petitioner has submitted that on similar footing, co-accused Arun Kumar Singh @ Arun Kumar, who is brother-in-law (*Devar*) of the deceased, has been granted bail by a coordinate Bench of this Court in Cr. Misc. No.10093 of 2023. The petitioner is innocent and has falsely been implicated in this case merely because he is father-in-law of the deceased.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the father of deceased, who is informant, had gone to the matrimonial house of the deceased in the same day morning, since he got an information that the accused persons assaulted his daughter and after some persuasion, he returned to his house and in the same night, he came to know that his daughter was done to death by the accused persons, including the petitioner. He has also submitted that the case of the petitioner cannot be equated with Arun Kumar Singh @ Arun Singh, who has been granted bail by a coordinate Bench of this Court, since he is youngest *Devar* of the deceased, whereas the petitioner is father-in-law.

From perusal of the FIR it appears that the informant has stated that Deepak Singh has killed his daughter. It was the



Deepak Singh, the husband, who was demanding gold chain, but in later portion of the *Fardbeyan*, all the family members have been made accused with general and omnibus allegation that they committed dowry death of the deceased and concealed her dead body.

Considering the above-mentioned facts and circumstances, especially the clean antecedent, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Buxar in connection with Sikraul P.S. Case No. 146 of 2020, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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