

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29238 of 2023**

Arising Out of PS. Case No.-16 Year-2023 Thana- GURARU District- Gaya

Sunil Singh Son of Anurup Singh Resident of village - Bhartipur, P.S. -
Gurua, Distt. - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

For the Informant : Mr. Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 04-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Guraru
P.S. Case No.16 of 2023 registered for the offence under
Sections 304-B and 34 of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.



3. The accused/petitioner is named in the F.I.R. and is in custody since 24.01.2023.

4. The allegation against the petitioner is to cause death of the daughter of informant alongwith other family members due to non-fulfillment of demand of dowry as raised for Rs.1,00,000/-.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is father-in-law, where thrust of allegation as to commit cruelty is available against husband of deceased, who is now in judicial custody. It is also submitted that petitioner being father-in-law having no connection with the daily and domestic affair with the deceased and her husband. It is further submitted that investigation is complete and charge-sheet has been submitted under Section 306 of the Indian Penal Code, suggesting that occurrence was nothing but suicide and same was committed for the reason that daughter of informant was short tempered lady and having adjustment problem with her husband. It is submitted that nothing surfaced during the course of investigation, which may suggest that act of petitioner is so active or direct, which may force daughter of informant to commit suicide without leaving any other option and in support of said submission learned counsel relied upon the report of



Hon'ble Supreme Court in the matter of ***Gurcharan Singh v. State of Punjab*** as reported ***2016 SCC (Online SC 1415)***. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer for bail submitted that during the course of investigation it surfaced in several paragraphs of case diary that petitioner played active role towards mental and physical cruelty. It is submitted that soon before the occurrence payment of Rs.2,00,000/- was paid to petitioner and his son but fairly conceded that amount was paid in cash.

7. In view of the facts and circumstances as mentioned above and by taking note of the fact as petitioner implicated being father-in-law, where nothing surfaced during the course of investigation suggesting that his act was so active or direct to forced daughter of informant to commit suicide, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.01.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Guraru P.S. Case No.16 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate-Ist Class, Gaya/concerned court, subject to
the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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

