

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 63729 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Nawab Lal Prasad @ Nawab Ray Son of Late Laxmi Narayan Singh R/o New
Jaganpura Near Tridev Mandir, P.S. - Ramkrishna Nagar, Distt. - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore (App100)

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Ramkrishna Nagar P.S. Case No. 191 of 2023 dated 25.03.2023,
instituted under Sections 341, 323, 498(A), 304(B)/34 of the
Indian Penal Code, Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, it is alleged that the
informant received telephonic information that his daughter has
been killed by her husband, including the petitioner, who is
father -in-law of the deceased. The F.I.R contains the allegation
that the marriage was solemnized in the year 2022 and the
victim was being tortured for non-fulfillment of demand for
dowry.

4. Learned counsel for the petitioner submits that



petitioner is father-in-law of the deceased. It is submitted that when the wife of the petitioner along with son returned and knocked the door, the door was not opened and accordingly several phone calls were given to the deceased on her mobile, but she did not pick up the phone. It is submitted that the grill of said door was opened by Dilwar Ansari, who is *Mistry* of grill shop. He has stated that the door was closed from inside. The said Dilwar Ansari has stated that he cut the grill, which was fixed in the door with a grinding machine and thereafter he went inside the said flat and opened the closed door and found the girl hanging with ceiling fan with the help of cloth. Thereafter all the persons entered inside the house. Subsequently, he and his shop owner, namely, Chunu Shao went to their shop. Thereafter, he learnt that the girl has committed suicide. The statement of independent witness namely Dilwar Ansari has been recorded in paragraph no. 43 of the case diary, which fully corroborates the aforesaid facts. It is further submitted that statement of independent witness namely Dilwar Ansari belies the allegation made in the FIR. It is submitted that petitioner was admitted in Vipassana Meditation Centre, Patna which was 10 days residential course and when a person was admitted for 10 days, he had kept his mobile and other



belongings at Vipasna Mediation Centre Patna. In this regard, petitioner had given an application to the Senior Superintendent of Police, Patna dated 29.4.2023 stating the said fact and also annexed the documents regarding his proof of presence at the Mediation Centre, including his application for leave from the said centre after intimation regarding the suicide of his daughter-in-law, which is annexed at Annexure-2 to the bail petition. It is next submitted that husband of the deceased is in judicial custody. The petitioner has two criminal cases pending against him since before. Out of the two cases, he is on bail in one case and whereas in other case, he has been acquitted by the learned Trial Court.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the even of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Patna, in connection with Ramkrishna Nagar P.S. Case No. 191 of 2023 dated 25.03.2023 subject to the conditions laid down in Section 438(2) of the



Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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