

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76175 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- BARAHAT District- Banka

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Tarni Rai, S/O Ganesh Rai @ Pairo Rai, R/O Village- Mohanpur, P.S-
Barahat, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. N.P. Nirala, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-11-2023 Heard Mr. Dhananjay Kumar Pandey, learned
counsel appearing on behalf of the petitioner and Mr. N. P.
Nirala, learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Barahat P.S. Case No. 115 of 2023, registered for the
offences punishable under Sections 304(B), 302, 34 of the
Indian Penal Code.

3. It is alleged that the marriage of the daughter of the
informant was solemnized six years ago with the son of the
petitioner. From the said wedlock, two children were born,
however, soon after the marriage the daughter of the informant
was subjected to demand of dowry and on account of non-
fulfillment of the same, she was done to death by all the accused
persons.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner happens to be the father-in-law of the deceased and there is omnibus allegation in the F.I.R.. Moreover, it is a case of suicide on account of some trifle between the husband and wife and the petitioner is no way associated with the affairs of the couple. He further submits that even as per the inquest as well as post-mortem report, there is no other mark of violence. Furthermore, the husband of the deceased is in judicial custody. He further submits that even as per the F.I.R. one thing is admitted that with regard to the occurrence, information has been given to the informant whereupon they came to the house of the petitioner. He lastly submits that be that as it may, he undertakes that he will fully cooperate in the proceeding of the Court

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that from the impugned order it appears that the deceased was done to death by throttling.

6. Regard being had to the submissions made on behalf of the parties and considering the fact the petitioner is father-in-law of the deceased and there is no specific allegation, that apart there is no mark of violence over the body of the



deceased and the fact that the husband of the deceased is behind the bar, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Barahat P.S. Case No. 115 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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