

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73989 of 2022

Arising Out of PS. Case No.-383 Year-2022 Thana- CHANPATIA District- West Champaran

1. MOHAN SAH Son of Late Raghunath Sah R/V- Chuhari, P.S- Chanpatia, Distt- West Champaran
2. Manorma Devi Wife of Mohan Sah R/V- Chuhari, P.S- Chanpatia, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr.Narendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 05-05-2023 Heard learned counsel for the petitioners as well as learned APP for the State assisted by the learned counsel for the informant.

In this case, the petitioners are seeking regular bail in connection with Chanpatia P.S. Case No. 383 of 2022, registered for the offences punishable under Sections 304 (B)/34 of the Indian Penal Code.

As per allegation, the marriage of the deceased was solemnized on 09.12.2020, with co-accused Guddu Sah @ Ashutosh Sah. The accused persons named in the FIR committed her dowry death for non-fulfillment of demand of rupees one lakh sixty thousand cash. The informant after hearing



the information of death of his daughter rushed to her matrimonial village and saw her dead-body.

Learned counsel for the petitioners has submitted that the petitioners are father-in-law and mother-in-law of the deceased having no concern with day-to-day affairs of the couple. He has also submitted that as a matter of fact, the quarrel takes place between the husband and the wife and it has come in paragraph Nos. 29 and 30 of the case diary in which the statements of independent witnesses have been recorded that, on the day of occurrence, the husband slapped his wife and, thereafter, she committed suicide. When the door was opened forcibly her dead-body was found hanging.

On the other hand, the learned counsel for the informant and the learned APP have opposed the prayer for bail and submitted that the petitioners were also involved in demand of dowry and in committing dowry death of the deceased. They have also submitted that the deceased was done to death within two and half years of her marriage in her matrimonial house leaving behind a child of nine months.

It appears that the independent witnesses have stated that on the day of occurrence some altercation had taken place between the husband and the wife. The husband had



slapped her. He went to the market for bringing medicine and when he returned the room of his office was found closed and when it was opened forcibly her dead-body was found hanging. The report shows that there is ligature mark around her neck and some mark of injury on her temporal region. It appears that the husband is responsible for the occurrence and he is under custody.

Considering the above-mentioned facts and circumstances as well as period of incarceration, let the petitioners, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah at West Champaran in connection with Chanpatia P.S. Case No. 383 of 2022, subject to the following condition:-

The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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