

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1817 of 2023

Arising Out of PS. Case No.-248 Year-2022 Thana- TARAIYA District- Saran

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1. BALISTER SINGH @ BALISTER SINGH KUSHWAHA SON OF LATE RAM PRASAD SINGH R/O VILLAGE- RAMPUR MAHESH, P.S.- TARAIYA, DISTRICT- SARAN AT CHAPRA
 2. RAJU SINGH KUSHWAHA SON OF SHREE BALISTER SINGH KUSHWAHA R/O VILLAGE- RAMPUR MAHESH, P.S.- TARAIYA, DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha
For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 03-05-2023 Heard the learned counsel for the petitioners and learned APP for the State.

This is an application for regular bail on behalf of the petitioners for the offences alleged under Sections 302 and 304(B)/34 of the Indian Penal Code, registered in connection with Taraiya P.S.Case No. 248 of 2022.

As per allegation, the marriage of the deceased was solemnized with co-accused Vikash Singh Kushwaha @ Vickky five years prior to lodging of the FIR. The allegation is that in the night of 18.07.2022, petitioner no.1 informed the informant that her son-in-law has sustained injuries, whereupon the



informant went to matrimonial house of her daughter and saw her dead-body and she also noticed that her daughter died having sustained fire-arm injuries.

The learned counsel for the petitioners has submitted that petitioner no.1 is father-in-law and petitioner no.2 is *Devar* of the deceased. They have no concern with day-to-day affairs of the husband and wife. He has submitted further that it has come during investigation that petitioners were residing in a village. He has also submitted that the independent witness in paragraph no. 38 of the case diary has stated that hearing the sound of fire shot, he went to the house of the petitioners and saw the dead-body of the deceased. That witness has stated that the husband and wife were usually quarreling. Another independent witness in paragraph no.39 of the case diary has also stated that the petitioners were residing in their parental village.

On the other hand, the learned APP has opposed the prayer for bail and submitted that petitioners being the father-in-law and *Devar* of the deceased are also responsible for dowry death of the deceased. They have been named in the FIR.

It appears that during investigation, the complicity of the petitioners has not surfaced, as such, considering the facts



and circumstances, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of learned ACJM-I, Chapra in connection with Taraiya P.S.Case No. 248 of 2022, subject to the following conditions:-

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

(Nawneet Kumar Pandey, J)

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