

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15137 of 2024

Arising Out of PS. Case No.-14 Year-2022 Thana- HARNAUT District- Nalanda

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1. Vibha Kumari @ Switi Kumari Wife of Mr. Dharamvir Singh @ Tunnu Kumar @ Pappu Resident of Village- Balwapar, P.S. Nagarnausa, District- Nalanda
 2. Dharamvir Singh @ Tunnu Kumar @ Pappu Son of Ravindra Prasad Resident of Village- Balwapar, P.S. Nagarnausa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Ms. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2024 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Harnaut P.S. Case No. 14/2022 registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

3. The allegation against petitioners to cause death of sister of the informant along with co-accused persons/family members due to non-fulfillment of demand of dowry as raised for unspecified amount of cash.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioner no. 1 is the sister-in-law and petitioner no. 2 is her husband, who are living separately much prior to the occurrence with deceased and as such having no connection with their daily and domestic affairs of deceased and her husband. It is submitted that being a lady of short temperament, out of family frustrations, the sister of informant committed suicide after consuming poison. It is submitted that no external injury was noticed upon the dead body of the deceased during post-mortem suggest *prima facie* that deceased was not assaulted physically soon before the occurrence. It is submitted that forensic report also suggests that death was caused out of intake of poison *i.e.* Celphos.

5. Learned APP appearing for the State opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as both petitioners are in-laws (married sister-in-law and brother-in-law), who appears to be living separately prior to the occurrence, where death appears *prima facie* out of suicide, where no external injuries were noticed upon deceased negating physical assault soon before occurrence, accordingly, the above named petitioners, in the event of their arrest or surrender before

learned trial court within a period of four weeks, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/concerned Court, where the case is pending in connection with Harnaut P.S. Case No. 14 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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