

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44338 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- MAHARAJGANJ District- Siwan

Lal Bihari Singh S/o Late Kanhaya Singh R/o vill - Paterah, P.S .-
Maharajganj, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Urmila Kumari, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2024 Heard Ms. Urmila Kumari, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Maharajganj P.S. Case No. 195 of 2023 registered for the offences punishable under Sections 304(B), 302/34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that the marriage of the sister of the informant was solemnized on 10.05.2023 with the son of the petitioner. There is allegation of demand of dowry and on account of non-fulfillment of the same, the victim was done to death, leading to the institution of the FIR.

4. Learned Advocate contended that the petitioner is father-in-law of the deceased and even as per the allegation



made in the FIR, there is omnibus nature of the allegation against all the family members, including the petitioner. Referring to the FIR, it is further contended that in fact, it is the petitioner, who informed the family of the deceased and called upon them when deceased has committed suicide in the matrimonial home. It is also the contention of the petitioner that there is no mark of any injury over the body of the deceased, which also suggest that the deceased has never been subjected to any torture. It is next contended that in fact, the deceased was not happy with her marriage with the son of the petitioner and on account of some differences between husband and wife, she committed suicide. Be that as it may, now the petitioner is in custody for around a period of one year, having fair antecedent.

5. On the other hand, learned APP for the State opposes the bail application and submits that the death has taken place just within three months of the marriage.

6. Regard being had to the submissions made on behalf of the parties and considering the period of custody and the fact that there was no external injury over the body of the deceased, coupled with the omnibus nature of allegation, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two



sureties of the like amount each to the satisfaction of learned A.C.J.M-VI, Siwan in connection with Maharajganj P.S. Case No. 195 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J.)

Priyanka /-

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