

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53237 of 2024

Arising Out of PS. Case No.-519 Year-2023 Thana- CHANDI District- Nalanda

1. Jyoti Devi, Daughter of Lalan Ravidas, Wife of Ajay Ravidas, Resident of Village- Gauri, Police Station- Chandi, District- Nalanda
2. Sushma Devi, Daughter of Lalan Ravidas, Wife of Mithun Ravidas, Resident of Village- Gauri, Police Station- Chandi, District- Nalanda
3. Mukesh Das @ Mukesh Ravidas, Son of Lalan Ravidas, Resident of Village- Gauri, Police Station- Chandi, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Chand Pandey, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 17-12-2024 Heard the parties.

2. The petitioner nos. 2 and 3, namely, Sushma Devi and Mukesh Das @ Mukesh Ravidas, are apprehending their arrest in connection with Chandi P.S. Case No. 519 of 2023 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that the marriage of the daughter of the informant was solemnized with Ravi Ravidas, as per Hindu rites and rituals. 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 Advocate for the petitioners contended that petitioner no.2 happens to be the married sister-in-law, whereas petitioner no.3 is the brother-in-law of the deceased. There is omnibus nature of allegation of demand of dowry and causing death, however, the post-mortem report clearly suggests that the cause of death is said to be asphyxia due to hanging. There is no external injury over the body of the deceased and, as such, the allegation of causing assault is unfounded. It is next contended that the petitioners have been residing in a different place where they were doing labour work at brick-kiln and they have no concerned with the day-to-day affairs of the deceased and her husband. In fact, on the fateful day the deceased committed suicide and this fact has also been corroborated by the post-mortem report. It is also contended that the petitioners are the persons of tender age, having no criminal antecedent. Moreover, they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State opposes the bail application and submits that during the course of investigation the witnesses have supported the prosecution case that the deceased was subjected to demand of dowry and on account of non-fulfillment of the same, she was tortured in



various ways.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the husband of the deceased has been allowed default bail and there is no specific allegation against the petitioner nos. 2 and 3 and there is averment made in the bail application that they have been residing separately, coupled with the post-mortem report, which suggests no external injury, let the **petitioner nos. 2 and 3, namely, Sushma Devi and Mukesh Das @ Mukesh Ravidas**, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Chandi P.S. Case No. 519 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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