

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55346 of 2024

Arising Out of PS. Case No.-242 Year-2023 Thana- TARAPUR District- Munger

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1. Arti Devi@Arti Kumari wife of Sunil Ravidas @ Sunil Kr. Ravidas Village-
SArai Ps- Sangrampur Dist- Munger
 2. Tetar Ravidas son of Late Baro Ravidas Village- Maheshpur Ps- Tarapur
Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 02-09-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.
2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 304(B)/34 of the IPC in connection with Tarapur P.S.
Case No.242 of 2023.
3. The learned counsel for the petitioners submit that
petitioners are persons with clean antecedent and petitioner no.2
is aged about 72 years and the informant alleges that his
daughter was married to Jitendra about two years back, after
marriage she was tortured, further on 19.12.2023 his daughter-
in-law received a call but the same got disconnected, thereafter,
she made a return call when Aarti informed that his daughter is



ill and is being taken to hospital, further it is alleged that his Samdhin also called and informed that his daughter died due to stomach ache.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case being married sister-in-law and father-in-law of the deceased. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that there is no specific allegation of demand of dowry against the petitioners, rather the allegations are general and omnibus in nature. It is also submitted that from tenor of the allegation it would manifest that earlier the sister-in-law of the deceased gave a call to the daughter-in-law of the informant, but she could not pick up the phone and later when she made a return call she was informed about the condition of the deceased, thereafter, even the mother-in-law of the deceased also informed the informant about the death of his daughter. It is next submitted that had the petitioners been involved in the occurrence, then effort would have been made to dispose of the dead body, but then postmortem of the dead body was carried and the doctor opined that death was caused due to asphyxia on account of hanging. It is further submitted that the deceased committed suicide, but then the case is under investigation and



it is the duty of the Investigating Officer to investigate and come to a conclusion whether the death was suicidal, homicidal or accidental. It is next submitted that whenever any dispute arises in between the husband and the wife and an offence of the nature as alleged takes place, in that event, the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation. It is also submitted petitioners will not abscond rather will cooperate in the investigation. It is next submitted that husband of the deceased is in custody.

5. The learned APP opposes the anticipatory bail application and submits that though it has been pleaded that husband of the deceased is in custody, but then the date of custody is not mentioned in the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., IIIrd, Munger in connection with Tarapur P.S. Case No.242 of 2023,



subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, the learned trial court before accepting the bail bonds of the petitioners shall verify whether husband of the deceased is in custody or not and in the event, if it is found that he is not in custody in that event the present anticipatory bail order shall not be given effect to.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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