

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55638 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- SIDHWALIYA District- Gopalganj

1. Janardan Sharma Son of Seepak Thakur @ Seepak Sharma R/O Vill.- Rampur, P.o.- Sadaowa, P.s.- Sidhwaliya, Dist.- Gopalganj
2. Gyanti Devi @ Gyanti Kumari Wife of Janardan Sharma R/O Vill.- Rampur, P.o.- Sadaowa, P.s.- Sidhwaliya, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304B and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Rajeev in the year 2020, after marriage, the accused persons were demanding a four wheeler and money, further, Rajeev used to call and demand money, hence informant deposited money in his account, but his demand increased and a further demand of Rs. five lakhs was made and on account of the non-fulfillment of the said demand, the accused persons including



the petitioners strangled his daughter to death on 24-1-2024, further, petitioner No. 2, being a government teacher, used to coax Rajeev to kill his wife, further the informant states in the FIR that the case was instituted after some delay as informant was busy in the cremation.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, being father-in-law and mother-in-law of the deceased. It is next submitted that from perusal of allegation as alleged in the FIR, it would manifest that the allegation of demand and torture against the petitioners is general and omnibus in nature. It is also submitted that the thrust of the allegations is against Rajeev. It is next submitted that petitioner No. 2 is a government teacher as such she has been implicated in the instant case. It is next submitted informant is not an eyewitness to the occurrence and he himself states in the FIR that the instant case came to be instituted after the dead body of the deceased was cremated. It is also submitted that from perusal of the order impugned, it would manifest that the dead body of the deceased was sent for post-mortem which amply demonstrates that had the petitioner been involved in the occurrence, their efforts would have been to conceal the evidence by disposing of the dead body, but then the same was not done. It is next submitted that even the post-mortem report records that death was due to hanging. It is further submitted that daughter of the informant was earlier married



to Sunil on 21-11-2017 but Sunil died in a road accident on 19-6-2018, the victim thus went in a shock and concealing the said fact, she was married to Rajeev as such she was mentally not prepared to accept Rajeev as her husband and thus committed suicide. It is further submitted that husband of the deceased is in custody.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 trial court within a period of six weeks from today, be released on anticipatory 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 the learned trial court where the case is pending/successor court in connection with Sidhwalia P.S. Case No. 21 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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