

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69969 of 2023

Arising Out of PS. Case No.-223 Year-2016 Thana- BARH District- Patna

1. Sampatiya Devi @ Sampariya Devi, W/o Arjun Bind
2. Chandan Bind, S/o Arjun Bind
3. Arjun Bind S/o Pavtir Bind
R/o Village-Uma Nath Bind Toli, P.S.- Barh, Distt.- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Barh P.S. Case No.223 of 2016 registered under Sections 304-B and 201 read with 34 of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Allegation against the petitioners is to cause death of daughter of informant along with other co-accused persons/family members due to insufficient dowry.

4. It is submitted by learned counsel for the petitioners that petitioners are in-laws and they are living separately much prior to the occurrence. In support of his submission, learned counsel referred to the statement of independent witnesses, which were recorded under Para-32 and 35 of the case diary, which is the part of



impugned order itself. It is submitted that out of family dispute arises out of trivial issues, the daughter of informant committed suicide, where nothing appears during the course of investigation that act of petitioners was so active or direct which forced the daughter of informant to commit suicide without leaving any other option. In support of his submission, learned counsel for the petitioners relied upon the legal report of Hon'ble Supreme Supreme Court rendered in the case of **Gurcharan Singh vs. State of Punjab [AIR 2020 SC 4714]**.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions, as petitioners are in-laws and living separately, accordingly, all above-named petitioners are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on 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 A.C.J.M.-1st, Barh, Patna in connection with Barh P.S. Case No.223 of 2016, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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