

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66853 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- PARWALPUR District- Nalanda

1. Subodh Kumar, Son of Awdhesh Yadav, Resident of Village - Gajin Bigha, P.S. - Parwalpur, District - Nalanda
2. Savo Devi @ Kanti Devi @ Sago Devi, Wife of Awdhesh Yadav, Resident of Village - Gajin Bigha, P.S. - Parwalpur, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-10-2024 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Parwalpur P.S. Case No. 203 of 2023, registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

3. The marriage of the daughter of the informant was solemnized with the son of the petitioner no. 2 in the year 2019 and the coupled blessed with two children. Later, on account of dowry the victim was subjected to torture and finally she was done to death. The informant suspected that his daughter was



killed by all the in-laws-persons of her daughter.

4. Learned Advocate appearing on behalf of the petitioner contended that the FIR clearly suggests that apart from omnibus allegation against all the family members, it is the petitioners' side who had informed about the unfortunate incidence. The petitioners are none else but the brother-in-law and mother-in-law of the deceased, who have no concern with the day-to-day affairs of the deceased and her husband. In fact on account of a trifle between the husband and wife, the deceased has committed suicide, which fact corroborates from the application filed by the applicant before the jurisdictional Court, the copy of which is marked as Annexure P/2. It is lastly contended that the petitioners being persons of fair antecedent, they undertake before this Court that they will fully co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the deceased died in an un-natural circumstances and the post-mortem report suggest that the cause of death is Asphyxia due to throttling and, as such, the complicity of the petitioner in the crime cannot be denied, in as much as, the death has taken place within seven years of the marriage and soon before the marriage



there was a demand of dowry.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners are in-laws person and there is no mark of violence over the body of the deceased, coupled with the fact that the informant has retracted from his earlier version, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Hilsa, Nalanda in connection with Parwalpur P.S. Case No. 203 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

U		T	
---	--	---	--

