

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81668 of 2023

Arising Out of PS. Case No.-342 Year-2023 Thana- SAKRA District- Muzaffarpur

Ramlala Jha, Son of Late Ramchandar Jha, Resident of Village- Ram Nagar,
P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2024 Heard Ms. Vaishnavi Singh, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Sakra P.S. Case No. 342 of 2023 registered for the offences
punishable under Section 304B/34 of the Indian Penal Code.

3. The prosecution case is based on the written report,
alleging therein that the marriage of the daughter of the
informant was solemnized on 27.04.2022 with the son of the
petitioner. Soon after the marriage, on account of non-
fulfillment of demand of dowry, the daughter of the informant
was subjected to torture by the accused persons. On 20.07.2023,
the informant came to know that his daughter was done to death
by the FIR named accused persons.

4. Learned counsel for the petitioner submits that the



petitioner is the father-in-law of the deceased having no concern with the affairs of the deceased and his son. Even during the course of investigation, it has come that the deceased and his husband had been residing in a separate floor of the same house. Moreover, in course of postmortem, it has been found that the deceased died on account of asphyxia due to antemortem hanging. She further submits that the husband of the petitioner suo motu surrendered before the court below and he has been taken into custody. The petitioner undertakes that he will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned counsel for the State opposes the bail application and submits that admittedly the victim died just after a year of her marriage and prior to the incidents, the deceased was subjected to torture on account of non-fulfillment of the dowry. Thus, the ingredients constituting offence of Section 304B of the I.P.C., cannot be ruled out.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is father-in-law of the deceased and there is omnibus nature of allegation and the cause of death is said to be asphyxia due to antemortem hanging and there is no other external injuries found



over the dead body of the deceased, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-12 (East), Muzaffarpur in connection Sakra P.S. Case No. 342 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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