

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9636 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- ISLAMPUR District- Nalanda

1.

Kapurava Devi, Wife of Maheshwar Das, Resident of Village / Mohalla - Amnava Tetariya, P.S. - Islampur, District - Nalanda
2.

Ajay Kumar @ Ajay Mochi, Son of Maheshwar Das, Resident of Village / Mohalla - Amnava Tetariya, P.S. - Islampur, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Islampur P.S. Case No. 215 of 2024 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

3. Based upon the written report, the informant alleged that the marriage of his sister was solemnized with the son of petitioner no.1 way back in the year 2006. The couple also blessed with a son, however, the relationship between husband and wife was not good and they always engaged in feud. On 04.05.2024 at about 09:30 A.M., the brother-in-law of the informant, Ravi Kumar Das had informed the informant



about the death of his sister. On the afore-noted information, all the family members rushed to the matrimonial home of the deceased where the informant has been informed that the dead body of his sister was cremated. The informant has suspected the hands of all the family members including the petitioners.

4. Learned counsel for the petitioners contended that the petitioners are none else but the mother-in-law and the brother-in-law of the deceased, who have no concern with day-to-day affairs of the deceased and her husband. Admittedly, the marriage was solemnized long back in the year 2006 and the deceased died in the year 2024; hence, there is no question of any demand of dowry and torture at the hands of the petitioners. Moreover, petitioner no.2 has been working at Delhi and barring suspicion, there is nothing which suggests the involvement of the petitioners in the crime in question. Prior to the occurrence, there had never been any complaint with regard to the torture at the hands of any of the family members but only on account of some instigation made by unscrupulous person, the present FIR has been instituted; subsequently on being realized that the petitioners are not involved in the crime, the informant also entered into compromise.

5. On the other hand, learned counsel for the State



vehemently opposed the bail application and submitted that the deceased died in her matrimonial home and it is the accused persons, who are duty bound to disclose as to how she died.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the marriage of the deceased was solemnized in the year 2006 and the petitioners are none else but the mother-in-law and brother-in-law having fair antecedent, apart from the fact that the entire allegation is based on suspicion, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa in connection with Islampur P.S. Case No. 215 of 2024, 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 petitioners.

(Harish Kumar, J)

rohit/-

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

