

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21042 of 2025

Arising Out of PS. Case No.-234 Year-2023 Thana- SARAI District- Vaishali

1. Chandeshwar Ram Son of Fudena Ram Village- Fatepur Fulwaria PS -Sarai, Dist- Vaishali.
2. Meena Devi @ Mina Devi wife of Chandeshwar Ram Village- Fatepur Fulwaria PS -Sarai, Dist- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Mritunjay Kumar, Advocate
For the Informant	:	Mr. Ashad, Advocate
		Mr. Md. Soban Asghar, Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 06-08-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Sarai P.S. Case No. 234 of 2023, dated 10.09.2023, registered for the offence punishable under Section 304B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the marriage of daughter of informant was solemnized with co-accused Umesh Kumar, the son of the petitioners. Just after one month of marriage, the petitioners and other co-accused persons started demanding dowry and when this demand was not met, they started torturing her. On 04.09.2023, the informant received a



phone call from his daughter that the co-accused persons were assaulting her and they would kill her. Later on, the informant came to know that his daughter was hanged to death.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. No offence as alleged has ever taken place. The petitioners are parents-in-law of the deceased and they have no concern with the affairs of the deceased and her husband as they have been living separately. There is no specific allegation against the petitioners and the petitioners never demanded any dowry. The FIR has been lodged on 10.09.2023., i.e., after six days of occurrence and this shows afterthought and deliberation from the part of the informant. He further submits that in the *post-mortem* report, opinion has been reserved till receipt of viscera report and this falsifies the allegation about the petitioners and others causing death of daughter of informant by hanging. Further, no external or internal injuries were found on the person of the deceased and it shows suicidal death. The co-accused persons namely, Rajesh Ram and Rekha Devi have been granted the privilege of anticipatory bail by a learned co-ordinate Bench of this Court *vide* order dated 21.09.2024 passed in Cr. Misc. No. 31101 of



2024 and the case of the petitioners is similarly placed. Learned counsel next submits that petitioners are having clean antecedents and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 23.12.2024.

5. Learned counsel for the informant as well as learned A.P.P. appearing on behalf of the State oppose the submissions made on behalf of the petitioners. Learned counsel for the informant submits that there is specific allegation against the petitioners and other co-accused persons that they had been demanding dowry and on non-fulfillment of demand of dowry they killed the daughter of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioners are in-laws and further considering the general and non-specific nature of allegation and ambiguity over cause of death and also considering period of custody of petitioners, submission of chargesheet and their clean antecedents, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Vaishali at Hajipur / concerned Court, in connection with **Sarai P.S. Case No. 234 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.*
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*
- (iii) In case of non-appearance of the petitioners on single date or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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