

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48009 of 2025

Arising Out of PS. Case No.-123 Year-2024 Thana- JAMOBABAZAR District- Siwan

Fuleshwar Thakur @ Phuleshwar Thakur, aged about 50 years, Gender-Male,
Son of Late Shankar Thakur, Resident of Village - Barhoga Jaddu (Badhai
Tola), P.S. - Jamo Bazar, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jamo
Bazar P.S. Case No. 123 of 2024 instituted for the offences
punishable under Sections 304 (B) and 34 of the Indian Penal
Code.

3. As per allegation in the FIR, it is a case of dowry
death due to non-fulfillment of dowry demand by the petitioner
and his family members, due to which, the deceased, namely,
Ruby Kumari was died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that petitioner is
the father-in-law of the deceased and lived separately in mess
and business from the husband of the deceased. He further
submits that the husband of the deceased namely Ranjeet Kumar



is already in judicial custody as stated in para 13 of the bail petition. He next submits that from perusal of the FIR, it is evident that neither any specific allegation of demand and torture as alleged against the petitioner nor in the death of the deceased and the entire allegations are vague, general and omnibus in nature. He lastly submits that at the time of occurrence the petitioner was not present at the place of occurrence and the deceased Ruby Kumari died due to electric current in contact with the electric wire. He contended that there is no material available on record to connect the petitioner in the alleged occurrence. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 02.10.2024.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR, case diary, postmortem report and the impugned order of the learned District and Additional Sessions Judge-Xth, Siwan dated 08.05.2025, It appears that on the basis of written report of the informant Mukesh Thakur, (brother of the deceased) FIR has been registered under Sections 304 (B) and 34 of the Indian Penal Code against five accused persons including the present petitioner. Petitioner is father-in-law of the deceased aged about



50 years and husband of the deceased is in custody as stated by learned counsel for the petitioner. From perusal of the postmortem report, it also appears that the cause of death is due to electric current caused on lower lip of the deceased. The other injuries are (i) Abrasion on right front side of face about 1"x1" (ii) electrocution on right front elbow 2"x1" (iii) abrasion (burn) (iv) abrasion on right front knee about 1"x1" (v) abrasion on left front knee 1"x 1". Petitioner is the father-in-law of the deceased aged about 50 years having clean antecedent as stated in para 3 of the petition and is in custody since 02.10.2024, more than one year, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Jamo Bazar P.S. Case No. 123 of 2024.

(Ramesh Chand Malviya, J)

Anand Kr.

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

