

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59292 of 2024

Arising Out of PS. Case No.-542 Year-2023 Thana- DHANARUA District- Patna

1. Babli Devi, aged about 41 years, Female, Wife of Dharmendra Kumar.
2. Dharmendra Kumar @ Dharmendra Prasad, aged about 42 years, Male, Son of Vrij Singh.
3. Shlok Kumar, aged about 21 years, Male, Son of Dharmendra Kumar. All are resident of village- Suhanichak, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate
Mr. Ritwik Thakur, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Dhanarua P.S. Case No. 542 of 2023 instituted for the offences punishable under Sections 498(A) and 304(B)/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 deceased and her family members.

4. Learned counsel for the petitioners submits that petitioner no.1 is mother-in-law, petitioner no. 2 is father-in-law



and petitioner no. 3 is elder brother-in-law (*bhainsur*) of the deceased. He further submits that petitioners are innocent have committed no offence and have falsely been implicated in this case. He next submits that the marriage of the daughter of the informant was solemnized with the son of petitioner nos. 1 and 2 very simple and no demand for any dowry was demanded at the time of marriage. Petitioners have got no criminal antecedent as stated in para 3 of the petition.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-II, Masaurhi dated 04.04.2024, it appears that on the basis of written report of the informant namely, Nawal Prasad, FIR has been registered under Sections 498(A) and 304(B)/34 of the Indian Penal Code against seven accused persons including the present petitioners. Petitioner no.1 is mother-in-law, petitioner no. 2, is father-in-law and petitioner no. 3 is elder brother-in-law (*bhainsur*) of the deceased and the husband of the deceased has already been in custody as stated in para 20 of the petition and postmortem of the deceased shows that the cause of death has been opined to be asphyxia due to antemortem ligature hanging, so considering all these aspects of the matter, let these petitioners above named



in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Masaurhi, Patna in connection with Dhanarua P.S. Case No. 542 of 2023, subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

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