

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62719 of 2024

Arising Out of PS. Case No.-209 Year-2024 Thana- MADHUBANI TOWN District-
Madhubani

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1. Bina Devi wife of Roudi Chaupal village- Kaitola, Ps- Madhubani town,
Dist- Madhubani
 2. Roudi Chaupal Son of Raghubir Chaupal @ Ydubir Chaupal Village
-Kaitola, Ps- Madhubani Town, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate

Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

2. The petitioners apprehend their arrest in a case registered
for the offences punishable under Section 304B of the Indian
Penal Code.

3. The petitioners are mother-in-law and father-in-law of the
deceased. The allegation in the first information report is with
regard to causing death of the deceased on account of demand
of dowry disputes with accused persons and cruelty was also
meted out to her. It has been alleged that on 13.05.2024, there
was some dispute between the family members of the deceased.
On 15.05.2024, an information with regard to the death of the
deceased was given to the informant whereupon she came to the



place of occurrence and found the dead body of her daughter kept in Veranda.

4. Learned counsel for the petitioners submits that it would be evident from the first information report and the materials collected during the investigation that the main thrust of the allegation is upon the husband of the deceased, Vinod Chaupal and his application for anticipatory bail has already been withdrawn by this Court by order dated 18.12.2024 passed in Cr. Misc. No.68032 of 2024. Further submission is that there is no allegation of demand of dowry which is a *sine qua non* for an offence to be made out under Section 304 B IPC. The dispute had taken place between the petitioners and the deceased along with her husband on 13.05.2024, whereas the occurrence is said to have taken place on 15.05.2024. There is general and omnibus allegation against the petitioners, who are the mother-in-law and father-in-law of the deceased. It is further submitted that during course of investigation the case has been found true under Section 306/34 of the Indian Penal Code and it would also appear from the statement of some of the witnesses recorded during course of investigation that the deceased committed suicide by hanging herself. It further appears that it was the husband, Vinod Chaupal, who had made



phone call to his villager, Ramesh Chaupal, making specific statement that the deceased, while talking to him over phone was threatening that she would commit suicide and, thereafter, her phone was switched off and he was unable to inform other members of the family. It was upon the information given by the husband that the people rushed to the place of occurrence and found that the deceased had committed suicide by hanging herself after talking with her husband on phone.

5. Learned APP for the State opposed the prayer for anticipatory bail by stating that the postmortem report shows that the death has been due to throttling, which has been subject to final report of the F.S.L.

6. In any view of the matter, even in absence of the final report of the F.S.L., the thrust of the allegation is against the husband of the deceased and it is the husband, who is primarily responsible for welfare of the wife and these petitioners are mother-in-law and father-in-law of the deceased.

7. Taking into consideration the facts and circumstances of the case and the fact that these petitioners are in-laws of the deceased, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Madhubani (Town) P.S. Case No.209 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482 (2) Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

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