

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65291 of 2024

Arising Out of PS. Case No.-716 Year-2023 Thana- BIHTA District- Patna

Raghunath Singh @ Meghnath Singh Son of Late Jagdish Singh Village-
Dihri, PS- Bihta, Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr.Nawal Kishore Singh
For the Informant	:	Mr.Rajendra Prasad Nat

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

CAV ORDER

7 20-02-2025 I have already heard the learned Sr. Counsel for the
petitioner as well as the learned counsel for the informant.

2. This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 304(B),
201/34 of the Indian Penal Code, registered in connection with
Bihta P.S.Case No. 716 of 2023.

3. The informant Vinay Kumar lodged the FIR on
13.07.2023, stating therein that the marriage of his daughter
Priti Kumari was solemnized with Rajesh Kmar, the son of the
petitioner, in the year 2019 according to Hindu *Riti* and
customs. The customary presents were given by the informant at
the occasion of marriage of his daughter. It is alleged that his
son-in-law, *Samdhi* (petitioner), the wife of *Samdhi* and two



sisters of his son-in-law started torturing his daughter for non-fulfilment of demand of dowry of Rs. 2,00,000/- cash. On 10.07.2023, the accused persons, had also assaulted the deceased. In the morning of 13.07.2023, the informant wanted to contact his daughter through mobile phone, but her mobile phone was switched off. Having anticipated untoward incident might have been occurred to his daughter, the informant rushed to matrimonial house of his daughter, but her room was locked. On query, the neighbours apprised the informant that the accused persons had committed the murder of his daughter. It was his firm belief that the accused persons named in the FIR including the petitioners had committed the dowry death of the deceased for non-fulfillment of demand of dowry.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated merely because he is father of the husband of the deceased. He is an old man of 72 years, having no concern with day-to-day affairs of the couple. The learned counsel has also submitted that the petitioner is a retired *hawaldar* of Bihar Police and it was the reason that the informant's side made false allegation against him of collusion with the investigating officer. The petitioner is under custody since 10.07.2024 and is a person



of clean antecedents. The learned counsel has further submitted that the independent witnesses, during the course of investigation, have stated that the deceased was a beautiful girl, whereas her husband, the co-accused, is a short-statured and a person of black complexion, and it was the reason that she was not happy with her husband and she committed suicide. In this respect, the learned counsel for the petitioner has drawn my attention towards para- nos. 83 and 84 of the case diary. By drawing my attention towards para-83 of the case diary, the learned counsel has submitted that the independent witnesses have stated that the husband and the wife were always quarreling and she committed suicide. Similar is the statement of the witness, whose statement has been recorded in para-86 of the case diary.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the petitioner is a retired *Hawaldar* and he influenced the investigation and the investigating authorities being lenient to the petitioner, were not properly proceeding with the investigation. It is also submitted by him that the evidences revealed that it was a case under Section 304(B) of the IPC, whereas the investigating authorities submitted the charge sheet



under Section 306 of the IPC, and only after intervention of this Court, the charge-sheet under Section 304(B) of the IPC was submitted, to which the learned counsel for the petitioner replied that it is not a fact that the charge-sheet was submitted under Section 306 of the IPC, but the charge-sheet has been submitted under Section 304(B) and Section 306 of the IPC.

6. When the allegation was levelled against the petitioner that he was in collusion with the investigating authorities and he also complained against the investigating officer, a report was called for from the concerned Superintendent of Police in this respect, but the report does not disclose that the investigating officer, in collusion with the petitioner, has submitted the charge-sheet in minor section.

7. The investigation has been completed. The petitioner is not required for custodial interrogation. He is a person of 72 years of age and is incarcerated in jail since 10.07.2024.

8. Considering the facts and circumstances of the case, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Danapur, Patna in connection with Bihta P.S. Case No.



716 of 2023, subject to the conditions that the petitioner shall cooperate in the disposal of trial and make himself available on each and every date fixed at the trial, and if he fails to appear on two consecutive dates, unless he is prevented by extremely adverse circumstances, the court below shall be at liberty to cancel his bail bond.

(Nawneet Kumar Pandey, J)

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