

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75854 of 2024

Arising Out of PS. Case No.-171 Year-2021 Thana- CHANDRAMANDI District- Jamui

1. Barki Marandi Wife of Rajan Tuddu Resident of village- Domohan, PS- Charkapatthar, District- Jamui
2. Rajan Tuddu Son of Late Mangar Tuddu Resident of village- Domohan, PS- Charkapatthar, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 01-07-2025 It appears that by earlier order, prayer for anticipatory bail of the petitioner no. 1 has already been dismissed as withdrawn. Now this application is being heard for petitioner no. 2 only.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

4. Allegation in the First Information Report is that the daughter of the informant was enticed by one Bablu Tuddu on the pretext of marriage and was brought to his house.



Further, after a Panchayati, it was decided that the marriage would be solemnized and thereafter all the named accused persons including the petitioner no. 2 started to torture the daughter of the informant for non-fulfillment of dowry demand. Further, the informant came to know on telephone that his daughter has died and hence, the present FIR.

5. Learned counsel for the petitioner submits that the First Information Report would clearly show that there is specific allegation on the son of the petitioner Bablu Tuddu of having brought the deceased to his house and subsequently torturing her. There is also specific allegation that 15 days prior to this occurrence, it was co-accused Bablu Tuddu who had threatened the family of the deceased of dire consequences. Further, the petitioner no. 2 happens to be the father-in-law of the deceased and there is no specific allegation as against him and surprisingly enough the present FIR has been lodged under Section 302 of the IPC and not under Section 304(B) of the IPC. Further, submission is that the husband who is primarily responsible for the death of the deceased is in custody since 07.03.2022 and the petitioner no. 1 in the present application was also taken into custody. The postmortem report of the deceased is also on record but even as per the report the doctor



has opined that the cause of death could not be ascertained.

6. Learned APP for the State has opposed the application for anticipatory bail.

7. In view of the facts and circumstances and considering that the petitioner is the father-in-law of the deceased and the husband of the deceased is already in custody, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chandramandi P.S. Case No. 171 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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