

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82352 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- BANMANKHI District- Purnia

Abhinandan Das Son of Late Visheshwar Das Resident of Village- Nehru
Ward no. 5, P.S.- Banmankhi, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Ms. Renu Kumari, APP
For the Informant	:	Mr. Sanjeev Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 18-02-2025 Heard learned counsel for the petitioner and Mr. Renu Kumar, learned APP for the State as also learned counsel for the Informant. Perused the case diary.

2. The petitioner seeks bail in connection with Banmankhi P.S. Case No. 227 of 2024 instituted for the offences under Sections 304(B)/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of committing murder of the Informant's daughter for non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case with false and frivolous allegations. The petitioner



has not committed any offence as alleged in the F.I.R. The petitioner is the father-in-law of the deceased and he used to reside separately in mess and has no involvement in the internal affairs of the husband and the wife. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against any of the family members (in-law's side) rather the same is general and vague against the accused persons. She also submits that from bare perusal of the F.I.R., it appears that there is no allegation against the accused persons of demanding dowry. There is also no specific allegation of so-called torture being meted upon the deceased by the accused persons. Learned counsel for the petitioner further submits that the husband of the deceased namely Kanhaiya Kumar Das has already surrendered before the court below on 05.10.2024. The petitioner has no criminal antecedent and is languishing in judicial custody since 15.06.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The deceased has been killed by the accused persons for non-fulfillment of dowry demand within



seven years of marriage in the matrimonial house. The postmortem report supports the prosecution case. He further submits that the F.S.L. report also shows that it is a suspected case of hanging of female aged about 22 years.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also there being no specific allegation against the petitioner, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Banmankhi P.S. Case No. 227 of 2024.

(Rudra Prakash Mishra, J)

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