

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86590 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- BODHGAYA District- Gaya

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1. Nirmala Devi wife of Arjun Lal @ Arjun Lal Srivastava village- Bakaror, Ps- Bodhgaya, Dist- Gaya
 2. Arjun Lal @ Arjun Lal Srivastava Son of Late Sita Ram lal village- Bakaror, Ps- Bodhgaya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 04-04-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bodhgaya P.S. Case no.59 of 2024 registered under Sections 498A, 302 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, the informant states that she married her daughter with one Tuntun Kumar before 8 years of the occurrence. After some days of marriage, all accused persons including the petitioners herein started to assault the informant's daughter mentally and physically on



account of non-fulfillment of demand of dowry. He further states that he got information that his daughter had committed suicide after hanging herself.

4. It is submitted by learned counsel for the petitioners that the petitioners are the mother-in-law and the father-in-law of the deceased. There is general and omnibus allegation levelled against them in the F.I.R with regard to demand of dowry. The petitioners are also staying separate in mess from their son and the deceased and have no role in the matrimonial affairs of the deceased and her husband. Learned counsel further submits that after investigation, charge-sheet was submitted under Sections 498A, 306 read with Section 34 of the Indian Penal Code, but however learned Court below differing with the Final Report, took cognizance against them under Sections 302 and 34 of the Indian Penal Code. The petitioners are languishing in custody since 19.05.2024 and undertake to co-operate in investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Considering the fact that it is not a case of any presumption in law and also considering the statement made in paragraph no. 9 to the petition that the husband of the deceased



who is primarily responsible for the welfare of his wife, is already in custody since 04.02.2024 and the petitioners having remained in custody since 19.05.2024, both the petitioners are directed to be enlarged on bail in connection with Bodhgaya P.S. Case no.59 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Chief Judicial Magistrate, Gaya.

(Soni Shrivastava, J)

Harsh/-

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