

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31086 of 2015**

Arising Out of PS.Case No. -40 Year- 2014 Thana -CHAKAMHESI District- SAMASTIPUR

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1. Umesh Ram Son of Late Kailu Ram Resident of village - Saidpur Kanua,  
Police Station Chak Mehshi, District - Samastipur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh

For the Opposite Party/s : Mr. M.K. Khare(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
**ORAL ORDER**

5      07-12-2015                      Heard the learned counsel for the petitioner as well as  
  
the learned A.P.P.

The petitioner seeks bail in a case for the offences  
punishable under sections 302, 343 and 34 of the I.P.C

Allegedly, the daughter of the petitioner was married  
with Santosh Ram, the son of the informant and there was strain  
relation between the wife and husband. The husband and his wife  
went to attend the marriage ceremony of cousin sister of his wife  
and thereafter the husband was done to death at his Sasural and his  
dead body was found in a hut near the house of the petitioner and  
the doctor has found the cause of death due to strangulation.

Submission is of false implication, the petitioner is the  
father-in-law of the deceased. The deceased was habitual drinker



and when the petitioner and his family members were all attending the marriage ceremony the deceased committed suicide after hanging himself with the rope and died and thereafter the informant being instigated by some of the enemies of the petitioner lodged this false case but knowing the reality the informant has filed application in the court below wherein he has not supported the earlier version. There is no specific allegation against the petitioner and he is suffering in custody since 13.04.2015. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by submitting the opinion of the doctor regarding the cause of death.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and against the petitioner there is no specific allegation and as such the petitioner above named is directed to 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 Sri Rakesh Kumar-III, J.M. 1<sup>st</sup> Class, Samastipur in Chak Mehshi P.S. Case No. 40 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned

and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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