

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6582 of 2015

Arising Out of PS.Case No. -255 Year- 2014 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Bipin Ram Son of Rajendra Ram
2. Rajendra Ram Son of Late Karik Ram Both residents of village -
Harsidhi Pakariya, P.S.-Harsidhi, Dist.-East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shakti Suman Kumar, Advocate.

For the Opposite Party : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-04-2015 Heard both sides.

The petitioners seek bail in Harsidhi P.S. Case No. 255 of 2014, registered for the offences punishable under Section 498A and 304B and other Sections of the Indian Penal Code.

The father of the deceased alleged that his daughter Rina Devi was married to Bipin Ram son of petitioner no. 2 and after the marriage the accused persons were torturing his daughter. They killed his daughter and cremated her dead body.

Learned counsel for the petitioners submits that petitioner no. 1 is the husband and petitioner no. 2 is father-in-law of the deceased. Omnibus and general allegation of demand of dowry and torture is made. The true facts are that the deceased

died due to diarrhea and vomiting. The informant participated in the cremation of the deceased and thereafter filed this case.

It appears that within four years of marriage the daughter of the informant died and her dead body was cremated without informing the informant and other family members. The petitioner no. 2 is father-in-law and no specific allegation is made against him. It is further submitted that petitioner no. 2 father-in-law is living separately from his son petitioner no. 1.

Considering the facts aforesaid, petitioner no. 2 namely Rajendra Ram is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 255 of 2014.

So far as the case of petitioner no. 1 Bipin Ram is concerned, he is husband of the deceased and there is allegation that he was torturing his wife and witnesses have also supported the facts, hence, I am not inclined to enlarge the petitioner no. 1 namely, Bipin Ram on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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