

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48443 of 2015

Arising Out of PS.Case No. -39 Year- 2010 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ram Prasad Ram son of Late Banshi Ram. resident of village Sareya Goipal, Police Station Patahi, District- East Champaran.
 2. Ushpati Devi w/o Ram Prasad Ram, resident of Sareya Gopal, Police Station- Patahi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Nawal Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-12-2015 Heard the learned counsel for the petitioners as well as the learned A.P.P.

The petitioners seek bail in a case for the offences punishable under sections 363 and 364/34 of the I.P.C

Allegedly, Babita Devi, the daughter of the informant, was married with Vijay Ram, son of the petitioners, and with an intention to get the marriage performed again of Vijay Ram the petitioners and other FIR named accused persons allegedly either killed Babita Devi and made the dead body traceless or have hide her at any place.

Submission is of false implication and that during



investigation it has come that Babita Devi went with her brother-in-law and is living at Firojabad as she was having illicit relationship with him vide paragraphs- 30, 35 and 36 of the case diary and as such the petitioners who are suffering in custody since 05.08.2015 deserve sympathetic consideration, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that brother of the informant, namely, Satendra Satyarthi has not supported the prosecution version and has stated that Babita Devi went with Surendra Ram, the other son-in-law of the informant and is living at Firojabad vide paragraph- 35 of the case diary.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M. Paktrideyan at Motihari, East Champaran in Patahi P.S. Case No. 39 of 2010, 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

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

Abhay/-

(Jitendra Mohan Sharma, J)

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