

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38165 of 2016

Arising Out of PS.Case No. -101 Year- 2015 Thana -DAWATH District- SASARAM (ROHTAS)

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1. Mundrika Ram, Son of Bideshi Ram
 2. Dwarika Ram, Son of Bideshi Ram
 3. Jaga Ram, Son of Bideshi Ram All Resident of Village: Chatra, P.S.: Dawath, District Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sada Nand Roy, Advocate

For the Opposite Party : Mr. Smt. Anita Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-09-2016

Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners seek bail in connection with Dawath P.S Case No. 101 of 2015 registered for the offences punishable under Section 304(B), 201, 34 of the Indian Penal Code.

Allegedly, Kanchan Devi, daughter of the informant was married to Bhandu Ram, the son of petitioner no.1 and nephew of petitioners no. 2 and 3 and allegedly due to non-fulfillment of demand of motorcycle and buffalo, she was being tortured and ultimately was killed and her dead body was thrown in a Dhora river by the husband and other in-laws including the petitioners.

Submission is of false implication and that there is general and omnibus allegation against the petitioners, there is no specific allegation, one of co-accused similarly situated Arvind Ram

has been allowed bail vide Cri. Misc. No. 24983 of 2016 by another co-ordinate Bench of this Court. From perusal of postmortem report, it reveals that death was caused due to hanging and it is a case of suicide. The petitioners have no concern with the family affairs of the deceased and her husband, petitioner no.1 is in custody since 10.04.2016 whereas petitioners no. 2 and 3 are in custody since 30.03.2016.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that the chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as, such, the petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge- 4th , Rohtas at Sasaram, in connection with S.Tr. No. 216 of 2016 arising out of Dawath P.S Case No. 101 of 2015, 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.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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