

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24983 of 2016

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

Arvind Ram, son of Mudrika Ram, resident of Village- Chatra, P.S.- Dawath,
District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 08-06-2016

Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner seeks bail in Dawath P.S. Case No. 101 of
2015 dated 30.10.2015 instituted under Sections 304B and 201/34 of the
Indian Penal Code.

The allegation against the petitioner, who is the elder brother
of the husband of the deceased, is general and omnibus, along with five
other family members, of demand of dowry and a buffalo.

Learned counsel for the petitioner submits that the marriage
was performed about two years prior to the incident and from the post-
mortem report, it appears that there is general ligature mark all around the
neck which indicates death by hanging and is a matter of suicide. It is
further submitted that if at all there was any dispute between the husband
and the wife leading to the incident, the petitioner, who is elder brother of

the husband and just because of such relationship, he cannot be made an accused in an arbitrary manner. He further submits that the entire family members have been made accused without there being any specific or direct or overt act allegation against them and only there is a general and omnibus cosmetic allegation of demand of dowry and a buffalo. It is submitted that the petitioner has clean antecedent and is in custody since 07.02.2016.

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

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bikramganj, District- Rohtas in Dawath P.S.Case No. 101 of 2015; subject to the condition that the petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Sujit/Ravi

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