

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56724 of 2017**

Arising Out of PS.Case No. -78 Year- 2016 Thana -MADHUBAN District-  
EASTCHAMPARAN(MOTIHARI)

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1. Amirilal Ram  
2. Motilal Ram,  
Both Son of Late Bhadai Ram, resident of village-Jogoliya Nandiram  
Chhapra, P.S.-Madhuban, District-East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar, Adv.

For the Opposite Party/s : Mr. Anant Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      13-12-2017                      Heard learned counsel for the petitioners as well as  
learned Additional Public Prosecutor for the State.

The petitioners seek bail in connection with  
Madhuban Police Station Case No. 78 of 2016 registered for the  
offence punishable under section 304(B)/34 of the Indian Penal  
Code.

It has been submitted that the petitioners are full  
brothers of the husband of the deceased. Out of them, petitioner  
no. 1 is in Military service. Both the petitioners are residing  
separately from the deceased and her husband. From the  
impugned order it appears that the deceased was married for  
about 30 years ago. In FIR it has been alleged that her husband



used to torture the deceased in connection with demand of motor cycle and cash amount. The contention of the learned counsel for the petitioners is that at best section 201 I.P.C. would be applicable on the allegation that they had participated in cremation of the dead body. The petitioners having clean antecedent are in custody since 05.08.2017.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioners are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Madhuban Police Station Case No. 78 of 2016.

**(Sanjay Kumar, J)**

Mahesh/-

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