

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40744 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -RAMGARH District- BHABHUA (KAIMUR)

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1. Hazari Ram, Son of Tufani Ram,
 2. Guddu Ram @ Gandu Ram @ Gadu Ram, son of Premchand Ram,
 3. Jhanu @ Baliram Ram, son of Premchand Ram, All resident of Village-Sighura, P.S.- Ramgarh, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Sessions Trial
No. 256 of 2017 arising out of Ramgarh P.S. Case No. 103 of
2016 for offence punishable under Sections 304(B) and 201/34 of
the Indian Penal Code, although charge-sheet has been submitted
under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Soni Kumari was having love affair with one
Ramakant Ram and the father of the petitioner nos. 2 and 3,
Premchand Ram demanded dowry for the marriage. Soni Kumari,
deceased went to the house of Premchand Ram and it is alleged



that she was administered poison, which resulted in her death.

It has been submitted by the learned counsel for the petitioners that petitioner no.1 is the uncle of Premchand Ram and is languishing in judicial custody since 01.04.2017, while petitioner nos. 2 and 3 are sons of said Premchand Ram and brother of Ramakant Ram and are languishing in judicial custody since 03.07.2017 and 01.04.2017 respectively. He submits that there was a love affair of the deceased with the said Ramakant Ram and there was no question of demand of dowry and the marriage was not solemnized. He submits that the said Soni Kumari committed suicide at their house and petitioners have been falsely implicated. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners. He further submits that one of the co-accused, father of Ramakant Ram has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 19441 of 2017 on 20.06.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the



materials on record, let petitioners, above named, be enlarged 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 learned Additional Sessions Judge 1st, Kaimur at Bhabua in connection with Sessions Trial No. 256 of 2017 arising out of Ramgarh P.S. Case No. 103 of 2016, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioners having sufficient immovable property, who would file an affidavit stating their relationship with the petitioners.
- (2) Petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J.)

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