

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52677 of 2018

Arising Out of PS.Case No. -210 Year- 2016 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

- =====
1. Pancham Ray, Son of Ram Dayal Ray.
 2. Ranjan Ray @ Ranjan Kumar, Son of Ram Dayal Ray, Both resident of Village- Ratanpura, P.S.- Bhagwanpur, District- Vaishali.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vipin Kumar, Advocate.
For the Opposite Party : Mr. Md. Fahimuddin, A.P.P.
For the Informant : Mr. Shailendra Kumar No. 1, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-09-2018 Heard learned counsel for the petitioners, learned counsel
for the informant and learned counsel for the State.

The petitioners seek bail in a case instituted under Sections
341, 342, 323, 326, 307, 498(A)/34 of the IPC and ¾ of the D.P.
Act. Later on, Section 304(B) of the IPC was also added.

The allegation against the petitioners and others is of
committing torture upon the victim due to non-fulfilment of
demand of dowry.

Earlier petitioners were granted bail vide order dated
09.11.2017 passed in Cr. Misc. No. 51787 of 2017, Annexure-1 to
the present application. Subsequently, the said bail was cancelled



by order dated 22.03.2018 passed in Cr. Misc. No. 51787 of 2017 taking into account that the petitioners had not mentioned in paragraph no. 1 of the bail application that the case was also instituted for the offences under Sections 304(B) and 307 of the IPC. In pursuance to the said order, the petitioners surrender before the learned court below and were taken into judicial custody. Hence, the present application has been preferred for grant of bail on behalf of the petitioners.

It has been submitted on behalf of the petitioners that the petitioners are in custody. Charge sheet has been submitted in the present case. They have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners are *Bhaisur* and *Dewar* of the deceased. They are separate in mess and property from the husband of the deceased. The husband of the deceased is in custody. Other similarly situated co-accused persons have already been granted bail by this Court vide Cr. Misc. No. 14158 of 2018 dated 22.03.2018 vide Annexure-4 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the



petitioners above named, 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 the learned Additional District and Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 210 of 2016.

It is expected that the petitioners will co-operate in trial.

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(Sudhir Singh, J)

