

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60251 of 2018

Arising Out of PS. Case No.-47 Year-2017 Thana- MOKAMAH District- Patna

Kanhaiya Ram @ Kanhai Ram, S/o Karu Ram, R/o Village Mor, P.S.-
Mokama, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

: Mr. Agreya Pratap

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Mokama P.S. Case No. 47 of 2017 registered
for the offence punishable under Sections 302, 201, 34 of the
Indian Penal Code.

Informant is the uncle of deceased has alleged that
marriage of his niece was solemnized with the petitioner in the
year 2007 and allegation against petitioner and other co-accused
is that they had sprinkled kerosene oil on her body and set her
ablaze.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has been falsely implicated in this
case. Some of the witnesses have stated in their statement before
the I.O. that deceased died due to burn while she was cooking



food. According to postmortem report, there was no smell of kerosene oil on her body. There is general and omnibus allegation against petitioner. Similarly situated co-accused persons have been granted regular and anticipatory bail by this Hon'ble Court as contained in Annexure -2 series. Petitioner has no criminal antecedent and he is in custody since 22.05.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above 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 learned A.C.J.M., Barh (Patna), in connection with Mokama P.S. Case No. 47 of 2017 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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