

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7550 of 2018

Arising Out of PS.Case No. -196 Year- 2017 Thana -ROSERA District- SAMASTIPUR

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1. Raja Ram Das @ Raja Ram, Son of Ram Bilas Das, Resident of Village-
Balapar, P.S. Rosera, District- Samastipur.
2. Ram Bilash Das @ Ram Bilash, Son of Ramoutar Das, Resident of
Village- Balapur, P.S.- Rosera, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdhar Prasad

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 05-03-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners, being the father and son are in custody
since 16.08.2017 in connection with Rosera P.S. Case No. 196 of
2017 for the offence registered under Sections 120B, 201 and
302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
main allegation is against the elder brother of petitioner no. 1 and
son of the petitioner no. 2 being Ram Raji Das and not against
these petitioners. The postmortem report shows death by hanging
but there is nothing on record to show that these petitioners had
also participated in the occurrence. Furthermore, it is submitted



that these two petitioners had themselves surrendered on 16.08.2017 and are languishing in jail for over six months.

Learned counsel for the State after perusal of the case diary submits that the victim lady on her own will had started living with the said Ram Raji Das and despite the social stigma, they had been continuing to live together. The informant had herself stated that she had also persuaded her daughter to live with her own husband, namely, Santosh Das, yet she had not cooperated and continued to live with the said Ram Raji Das. The role of these two petitioners is not indicated anywhere in the case diary.

Considering the aforesaid facts and circumstances of the case and the petitioners are in custody for over six months and that the petitioners have no criminal antecedents, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M., Rosera, District Samastipur in connection with Rosera P.S. Case No. 196 of 2017.

(Anjana Mishra, J)

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