

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41846 of 2018

Arising Out of PS.Case No. -98 Year- 2018 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Daroga Ram, Son of Sheobachan Ram,
2. Shiobachan Ram, Son of Late Bilat Ram.
Both resident of Village- Bharigawan, P.S.- Kudara, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate.

For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-09-2018 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Kudara P.S. Case No. 98 of 2018 instituted for the offence under Section 302/34 of the Indian Penal Code.

Counsel for the petitioner submits that petitioner No. 1 is husband and petitioner No. 2 is father-in-law of the deceased.

The informant Ram Singar Ram gave Fard-e-beyan before the Police on 24.03.2018 stating therein that upon receiving information from his daughter that his son-in-law assaulted her, he went to the house of his daughter, where she told him that her husband assaulted her. She requested the



informant to take her along with him. It is further alleged that when the informant asked from his son-in-law for taking his daughter with him, his son-in-law made pressure upon him to sign on a blank paper and when he denied to sign on the blank paper, he threatened his daughter with dire consequences. It is further alleged by the informant that upon receiving information that his daughter was hospitalized and is in unconscious state, he rushed there and found her in dead condition having some black marks around her neck. The Doctors of the Hospital referred her to Varanasi for better treatment. It is alleged that her daughter died on the way to Varanasi.

The Sessions Judge has mentioned in the impugned order that viscera has been preserved and cause of death of the deceased could not be ascertained.

From the written report it appears that there is specific allegation against petitioner No. 1. Therefore, this Court is not inclined to grant bail to petitioner No. 1.

Prayer for bail of petitioner No. 1 is rejected.

So far petitioner No. 2 is concerned, he is father-in-law of the deceased. There is no allegation of any specific overt act against him. Therefore, prayer for bail of petitioner No. 2 namely, Shiobachan Ram is allowed. Let the petitioner No. 2 above named,



be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Kudara P.S. Case No. 98 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

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(Sanjay Priya, J)

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