

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4195 of 2019

Arising Out of PS. Case No.-247 Year-2018 Thana- SAHARSA District- Saharsa

Sushil Ram @ Sushil Kumar @ Sushil Kumar son of Ram Rajendra Ram
Village - Siraday

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the parties.

The petitioner being the elder brother of the husband of the victim is languishing in custody since 24.7.2018 in a case registered for the offences punishable under Sections 304B and 302.34 of the I.P.C.

The prosecution case as per the Fardbeyan of Kumud Ram recorded by SI Kamlsh Singh, Sadar Police Station, Saharsa on 10.3.2018 at 10.10 A.M., is to the effect that the sister of the informant namely, Bibha Devi was married in 2016 with Mukesh Ram but subsequently, torture was inflicted for non-fulfillment of further dowry demand of motorcycle. On 10.3.2018, on the information received from the father-in-law of the victim, namely, Rajendra Ram, the informant went to his sister's matrimonial house and found her dead body.



It is submitted by learned counsel for the petitioner that admittedly the informant is not the eye witness to the occurrence. The thrust of accusation is against the husband of the victim. It is further submitted that co-accused Rita Devi and Lalita Devi have been granted bail by a bench of this Court vide order dated 6.12.2018 passed in Cr. Misc. No. 72571 of 2018.

Learned APP submits that the victim was killed even prior to two years of the marriage for non-fulfillment of dowry demands and the cause of death has been found during postmortem as throttling.

Considering the accusation being omnibus and general against the entire in-laws family members and the thrust of accusation being against the husband of the victim, coupled with the period in custody, let the petitioner 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 the learned CJM, Saharsa in connection with Sadar P.S. Case No.247 of 2018.

(Dinesh Kumar Singh, J)

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