

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14864 of 2019

Arising Out of PS. Case No.-336 Year-2018 Thana- DHAKA District- East Champaran

Manoj Ram @ Bhola Ram Son of Mansi Ram, Resident of Village- Lahan
Dhaka, P.S.- Dhaka, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 21-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Dhaka
P.S.Case No. 336 of 2018 registered under Section 304-B/34 of
the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that no case under Section 304-B of the Indian Penal
Code is made out in the present case. The wife of the petitioner
died a natural death after four years of marriage. Death was
reported to the father of the deceased. He instituted a case under
Section 304-B read with 34 of the Indian Penal Code against the
petitioner. There was no attempt to dispose of the body. The
body was recovered from the house of the petitioner, which was
subjected to post-mortem examination and the post-mortem



report does not show any bodily injury on the person of the deceased. The viscera was preserved at the time of post-mortem examination for opinion of forensic expert on 26.08.2018 but, till date, no viscera report has come. On the basis of these submissions, it has been submitted that there is nothing to suggest that the alleged victim died in other than natural circumstances.

Per contra, learned counsel for the State submitted that the informant, who is father of the deceased has alleged that the victim was being subjected to cruelty in her matrimonial home for non-fulfillment of demand of dowry.

Be that as it may, since the investigation against the petitioner is complete and it is not sure that the victim died an unnatural death, the petitioner, who is in custody since 03.09.2018, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana, Dhaka, East Champaran in connection with Dhaka P.S. Case No. 336 of 2018, subject to the conditions :

(a) that the petitioner shall attend court in accordance with the conditions of the bond executed;



(b) that the petitioner shall not commit an offence similar to the offence of the present case; and

(c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J)

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