

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66495 of 2018

Arising Out of PS. Case No.-241 Year-2018 Thana- NAUTAN District- West Champaran

Bharosh Ram, Son of Doma Ram, Resident of Village- Fulia Khand, P.S.-
Nautan, District- West Champaran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Brij Kishor Mishra,Advocate.

For the Opposite Party : Mr. Ajay Kumar-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

6 23-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
16.05.2018 in a case for the offence registered under Sections
302, 328 and 201/34 of the IPC.

The prosecution story, in brief, is that the informant
performed marriage of his sister in the year 2012 with this
petitioner. After marriage, her husband Bharos Ram (petitioner)
and all F.I.R. named accused persons started abusing, assaulting
and torturing the victim. The victim had informed this fact to
her brother. On 15.05.2018, the informant got information on
phone that his sister has been killed by her husband, Dewar by
administering poison and going to cremate the dead body. When
the informant alongwith the villagers went to the Sasural of his



sister, saw that they were going to cremate the dead body without giving information to informant. It is further alleged that the petitioner had illicit relationship with another lady for which the victim made protest.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per postmortem report, there is no external or internal injury on the body of the deceased. The Viscera report has been received in sealed cover and opened in the Court. The finding of the Viscera report is as follows: “No Metallic, Alkaloidal, Glycosidal, Pesticidal and Volatile poison could be detected in the Visceral organs as described above.” There is no substantive evidence to suggest the implication of the petitioner in the present case. The finding of the Viscera report does not support the allegation made in the F.I.R.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bettiah, West Champaran, in connection with Nautan P.S. Case No. 241 of 2018.

(Sudhir Singh, J)

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