

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66511 of 2019**

Arising Out of PS. Case No.-106 Year-2019 Thana- RAMGARH District-
Kaimur (Bhabua)

- =====
1. DEEPAK KUMAR Son of Sri Ram Murat Ram @ Ram Surat Ram Resident of Village- Imiliyan, P.S.- Ramgarh, District- Kaimur (Bhabua).
 2. Ram Murat Ram @ Ram Surat Ram Son of Late Ram Bachan Ram Resident of Village- Imiliyan, P.S.- Ramgarh, District- Kaimur (Bhabua).
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Yogendra Kumar, Advocate.

For the Opposite Party: Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304(B)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act registered in connection with Ramgarh P.S. Case No. 106 of 2019.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the brother-in-law and father-in-law respectively of the deceased. It is submitted that the ingredients of the offence under Section 304(B) IPC are not attracted in absence of accusation of demand attributed specifically to the petitioners. The petitioners were residing separately from the deceased and her husband and had no concern with their day to day matters. The ligature mark was found only on the front side of the neck which is suggestive suicidal death by hanging. The petitioners claim clean antecedents.

4. Learned APP appears and has been heard. He has



not pointed out any objective material against the petitioners from the case diary.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Kaimur at Bhabhua in connection with Ramgarh P.S. Case No. 106 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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