

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13607 of 2020

Arising Out of PS. Case No.-367 Year-2019 Thana- MAJHAULIA District- West Champaran

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RAMJI SHARMA S/o Dashrath Sharma Resident of Village-Basara,
Bhedihari, P.S.-Majhauria, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-06-2020 This case has been heard through video- conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section304(B)/34 of the Indian Penal
Code.

Prosecution case as lodged by the informant is that his
daughter's marriage has been solemnized in the year 2017 with
the petitioner and due to non-fulfillment of demand of dowry,
she has been killed by the petitioner and her in-laws.

It has been submitted on behalf of the petitioner that
he is innocent and has committed no offence and has been
falsely implicated in this case due to grudge of the informant.
He submits that there is no specific allegation against the



petitioner. He submits that petitioner was not present at the time of occurrence and he is in custody since 04.10.2019. He submits that story narrated by the prosecution and the allegations are not supported with the corroborative materials as neither the informant was an eye witness to the said incident nor from the perusal of the FIR conclusions can be drawn about the alleged modes of torture. He submits that the informant has already submitted an affidavit wherein and whereunder he has categorically stated that his daughter has herself committed suicide. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses.

Learned counsel for the State vehemently opposes the prayer for bail.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Majhaulia Police Station Case No. 367 of 2019 subject to the conditions:

(1) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(III) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

It is made clear that if the charges have not been framed then the learned court below will not accept the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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