

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18381 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- SARMERA District- Nalanda

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DINESH RAM Son of Jugal Ram Resident of Village - Pendi, P.S.- Sarmera,
District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Upendra Kumar
For the Opposite Party/s : Mr.Akhileshwar Dayal
Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the Sri Ashok Kumar, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Sarmera P.S. Case No. 23 of 2020, registered for the offence punishable under Sections 304(B)/34 of the Indian Penal Code.

The case of the prosecution in brief is that the deceased daughter of the informant was married three years back with Raj Kumar and dowry was given, however, after marriage, the in-laws of the deceased daughter of the informant used to demand



a buffalo and used to beat her. It is further alleged that the accused persons had killed the daughter of the informant on 29.1.2020 on account of non-fulfillment of the demand for dowry by poisoning her.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 30.1.2020. It is further submitted that there is no specific allegation of any sort levelled by the prosecution upon the petitioner herein, who is stated to be the elder brother-in-law of the deceased victim lady and the main culprit is the husband of the deceased victim lady. Lastly, it is submitted that the petitioner is languishing in custody since 30.1.2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the submissions made by the learned counsel for the petitioner and taking into account the materials on record, it is apparent that the petitioner is the elder brother-in-law of the deceased victim lady and the main person responsible in the alleged killing of the deceased victim lady by poisoning might be her husband. In such view of the matter as



also considering the fact that the petitioner is having a clean antecedent and he is languishing in custody since 30.1.2020, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st of Judicial Magistrate, 1st Class, Nalanda at Biharsharif in connection with Sarmera P.S. Case No. 23 of 2020 (GR No. 492 of 2020).

(Mohit Kumar Shah, J)

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