

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 74515 of 2019

Arising Out of PS. Case No.-147 Year-2019 Thana- CHANPATIA District- West Champaran

Dhiraj Ram aged about 30 years, Male, Son of Sital Ram, Resident of Village
- Mushahari, P.S.- Chanpatiya (Sirisiya O.P.), District- West Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Chanpatiya (Sirisiya O.P.) P.S. Case No. 147 of 2019 registered for the offence under Sections 302/328/34 of the Indian Penal Code.

In the F.I.R., the informant has alleged that on 03-05-2019, his son (deceased) went to his *Sasural*, but due to previous enmity, the petitioner and his family members killed his son by administering him poison and kept his dead body near Tirhut canal.

It is submitted on behalf of petitioner that petitioner is own *sala* (brother-in-law) of deceased. It is further submitted that in fact, no such occurrence has taken place and petitioner has falsely been implicated. It is further submitted that wife of the deceased has lodged a complaint case, vide Complaint Case No. 1127C of 2019 (Annexure-2), wherein she has given



different version of the prosecution case. She has alleged in the complaint that father of the deceased (informant) and his family members, due to property dispute, have killed her husband. It is further submitted that there is no eye-witness to the alleged occurrence and the prosecution case is based on mere suspicion. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Chanpatiya (Sirisiya O.P.) P.S. Case No. 147 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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