

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71090 of 2019

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

SITAL RAM, aged about 50 years, Male, S/o Late Mithu 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.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor and the learned counsel appearing
on behalf of the informant.

The petitioner seeks bail in Chanpatiya (Sirisiya O.P.)
P.S. Case No.147 of 2019, registered under Sections 302, 328
and 34 of the Indian Penal Code.

The father of the deceased alleged that his son,
Abhishek Ram went to his Sasural on 03.05.2019. Dispute was
going on between the family members of in-laws and his son
and that is why the son of the informant was being threatened.
The informant alleged that the accused persons, Sital Ram,
father-in-law, Dhiraj Ram, brother-in-law and Sadhu Ram,
brother of father-in-law of the deceased poisoned his son to
death and threw his dead body by the side of Tirhut Canal.



Learned counsel for the petitioner submits that the wife of the deceased filed complaint case that father and other brothers of the deceased killed her husband and threw the dead body. It is further submitted that the police after investigation submitted charge sheet under Sections 306 and 328 of the Indian Penal Code. The Investigating Officer during the course of investigation found that since the wife of the deceased had extra marital relation with someone that is why her husband, the deceased, committed suicide. It is further submitted that on consideration of the facts, Dhiraj Ram, the brother-in-law of the deceased, was granted anticipatory bail vide order dated 14.02.2020, passed in Cr. Misc. No.74515 of 2019 by a coordinate Bench of this Court. The case of the petitioner stands on the same footing.

The learned Additional Public Prosecutor as well as the learned counsel for the informant vehemently opposed the prayer for bail and submitted that of course there is no eye witness of the occurrence, but there is circumstantial evidence that the father-in-law, the petitioner, brother-in-law and brother of father-in-law of the deceased injected poison and subsequently the deceased died and his dead body was thrown.

From perusal of the records, it appears that the



informant is not an eye witness of the occurrence. Nobody came during the course of investigation to say that the petitioner, father-in-law of the deceased, killed his own son-in-law. It transpired during the course of investigation that since the wife of the deceased had extra marital relation, the deceased himself committed suicide by consuming poison. Dhiraj Ram, brother-in-law of the deceased, has already been granted anticipatory bail. The petitioner is the father-in-law of the deceased and the case of the petitioner stands on the same footing.

Considering the facts aforesaid, petitioner, namely, Sital Ram is directed to 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 the learned C.J.M., Bettiah, West Champaran in connection with Chanpatiya (Sirisiya O.P.) P.S. Case No.147 of 2019.

(Prabhat Kumar Jha, J)

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