

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30049 of 2020

Arising Out of PS. Case No.-123 Year-2019 Thana- GAUNAHA District- West Champaran

RAM PRAVESH RAM S/o Late Radhey Shyam Ram Resident of Village-
Jamuniya, Police Station-Shikarpur, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bashishtha Narayan Mishra

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-01-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Gaunaha Police Station Case No. 123 of 2019, registered for the offence punishable under Sections 304-B/201/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the daughter of the informant (now deceased) was married to the petitioner about one year back and on 14.12.2019, at about 7 PM, the petitioner, along with four other co-accused persons, came to the house of the informant and told his daughter that the mother of the petitioner was ill and took the deceased along with them. It has further been stated that on 15.12.2019, the informant got information from the villagers



that one dead body of a lady has been found near the Madhiyani Chowk in the village.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive. He further submits that it was an inter-religion marriage and the father of the deceased (informant) was not happy with the said marriage and the deceased has died near her parental village. He further submits that it is a case of honour killing. He further submits that the statement of the informant was recorded in course of investigation and from perusal of paragraph 31 of the case diary, it would be evident that there is complete contradiction from the statement made in the First Information Report. He also submits that after investigation, the police has exonerated the other accused persons, who allegedly arrived at the house of the informant and charge sheet has been submitted only against the petitioner under Section 302 of the Indian Penal Code.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 08.01.2020 and charge sheet has already been submitted against the petitioner and there is no apprehension that the petitioner will abscond or tamper



with the evidence, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, West Champaran, at Bettiah, in connection with Gaunaha Police Station Case No. 123 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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