

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1247 of 2021

Arising Out of PS. Case No.-301 Year-2020 Thana- GHORASAHAN District- East
Champaran

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1. BHAGIRAT RAM @ BHAGIRATH RAM, Son of Late Teni Ram, Resident of Village - Khartari, P.S. - Chiraiya, District - East Champaran.
 2. Ramekbal Ram, Son of Late Jokhu Ram, Resident of Village - Sheikhaouna Nashipar, P.S. - Ghorasahan, District - East Champaran.
 3. Bhunesh Ram, Son of Late Ram Bharan Ram, Resident of Village - Kadhatari, P.S. - Chiraiya, District - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 14-12-2021 At the outset, learned counsel for the petitioner seeks permission to withdraw this application as regards petitioner no. 2 Ramekbal Ram who is said to have been arrested during pendency of this application.

In the aforesaid view of the matter, let this application as regards petitioner no. 2 be treated as having become infructuous.

So far as petitioner nos. 1 and 3 are concerned, they are said to be the father-in-law and the brother-in-law of the deceased respectively.

Learned counsel for the petitioners undertakes to



remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Dr. Ajeet Kumar, learned A.P.P. for the State.

Petitioners in the present case are seeking pre-arrest bail in connection with Ghorasahan P.S. Case No. 301 of 2020 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code. Petitioner nos. 1 and 3 have got no criminal antecedent.

Learned counsel for the petitioner nos. 1 and 3 submits that on perusal of the First Information Report it will appear that petitioner no. 1 has been implicated because he happened to be the father-in-law of the deceased and petitioner no. 3 is cousin brother-in-law as a co-villager and had participated in the marriage. It is further submitted that in course of investigation the post-mortem report has been obtained which shows asphyxia due to strangulation by ligature and no other ante-mortem injuries have been found on the body of the deceased.

Learned counsel submits that these two petitioners are living separately in mess and business with the family of the deceased and they are always ready to cooperate with the



investigation.

On the other hand, Mr. Dr. Ajeet Kumar, learned A.P.P. for the State has opposed the prayer for anticipatory bail of these petitioners, however, no specific material has been brought to the notice of this Court showing complicity of petitioner nos. 1 and 3.

In the given circumstance, considering the kind of relationship with the petitioner nos. 1 and 3 and there being no material other than the fact that they are related with the husband of the deceased, this Court directs the petitioner nos. 1 and 3 above-named in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahana at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 301 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner nos. 1 and 3 and in case at any stage it is found that the petitioner nos. 1 and 3 have concealed their criminal antecedent, the court below shall take



step for cancellation of bail bond of the petitioner nos. 1 and 3.
However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

