

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4470 of 2022

Arising Out of PS. Case No.-51 Year-2021 Thana- MATIYARIA District- West Champaran

1. Meena Devi W/o Naresh Ram Resident of Village- Turkwaliya, P.S.- Matiyaria, District- West Champaran.
2. Ramji Ram Son of Naresh Ram Resident of Village- Turkwaliya, P.S.- Matiyaria, District- West Champaran.
3. Naresh Ram S/o Jagarnath Ram Resident of Village- Turkwaliya, P.S.- Matiyaria, 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.A.G.

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 05-12-2022 Heard Ld counsel for the petitioners and Ld APP for
the State.

The petitioners seek bail in connection with Matiyaria P.S. Case No. 51 of 2021, registered for the offences punishable under Sections 304B/201/34 of the Indian Penal Code.

The prosecution case as emerges from the FIR is that the marriage of the informant's daughter, namely, Gayatri Devi was solemnized with Suman Ram @ Lakshman Ram according to Hindu rites and customs about six years



ago. After some time, the husband and his family members started torturing her for non-fulfilment of illegal demand of motorcycle, and ultimately, she was found dead near the bank of Dogahi river.

The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He also submits that the petitioners are other than husband and the allegation against them is general and omnibus in nature.

The petitioner Nos. 1 and 2 are in custody since 10.07.2021 and the petitioner no.3 is in custody since 10.08.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances,



the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. C.J.M, Bettiah, West Champaran in connection with Matiyaria P.S. Case No. 51 of 2021, **after framing of charge, if not already framed**, on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court



below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

chandan/-

U		T	
---	--	---	--

