

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4969 of 2022

Arising Out of PS. Case No.-15 Year-2021 Thana- SURYAPURA District- Rohtas

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RAMNATH RAM @ RAMNATH KAHAR SON OF LATE BANSHI RAM
R/O VILLAGE- MILKI (SAURA), P.S.- SURAPURA, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 01-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Suryapura P.S. Case No. 15 of 2021 registered for the offences
punishable under Sections 302 and 201/34 of the Indian Penal
Code.

As per prosecution case, the informant married his
daughter in the year of 2010 with co-accused Buddhan Ram. It is
stated by the informant that one son and one daughter were born
out of the wedlock of his daughter and co-accused Budhan Ram. It
is alleged that on account of non-fulfillment of dowry co-accused
Budhan Ram and others used to torture and assault the informant's



daughter. There is accusation that petitioner alongwith others committed murder of informant's daughter and with intent to disappear the evidence, burnt the dead-body of informant's daughter before arrival of the informant.

Learned counsel for the petitioner submits that petitioner is in custody since 25.07.2021. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner being father in law of the deceased denied the allegation of torture or any demand of dowry. There is no eye witness of the occurrence. Except suspicion there is no any direct or indirect evidence against the petitioner. Co-accused Kaushalya Devi has already been granted bail vide Cr. Misc. No. 45158 of 2021 by the co-ordinate bench of this Court. Learned counsel further submits that the F.I.R. lodged on 24.01.2021 and written application was given on 24.01.2021 after inordinate delay which creates serious doubt on the against prosecution story.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is father in law, nature of allegation charge-sheet has already been submitted and there is no



likelihood of tampering with the prosecution evidence, argument advanced on behalf of the petitioner of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri L.B. Paswan, learned J.M. 1st, Bikramganj, District Rohtas in connection with Suryapura P.S. Case No. 15 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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