

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7615 of 2022

Arising Out of PS. Case No.-235 Year-2015 Thana- SIKARPUR District- West Champaran

BABAN RAM SON OF YADUNI RAM R/O VILLAGE- PACHRUKHIYA,
P.S.- RAMNAGAR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Suresh Pd. Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 22-06-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Sections 304B and 201/34 of the Indian Penal Code.

Allegedly, informant's daughter was physically and mentally tortured by her husband for a motorcycle and finally she was killed by the accused persons and her dead body was disappeared.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner is brother-in-law



of husband of the deceased and similarly situated co-accused Bhutti Ram has been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 5670 of 2016, in the FIR any specific role or overt-act of the petitioner has not been alleged in connection with alleged occurrence. Further submission is that deceased's husband, who is stated to be the main accused of this case, has been acquitted of the alleged offences vide judgment passed in Sessions trial no. 349/2017, copy of which has been filed as Annexure 3 and during trial all important witnesses including the informant did not support the allegation of FIR and accepted that victim's death had occurred due to her illness and the present petitioner has been languishing in jail since 16.9.2021.

Learned APP opposes the prayer for bail.

In view of the above submissions and considering the petitioner's case on better footing with the main accused husband of the deceased who has been acquitted by the concerned trial court and in the FIR any specific role of the petitioner in connection with the alleged occurrence has not been alleged and other co-accused carrying almost similar allegation has been granted bail vide above mentioned miscellaneous case, let the petitioner be released 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 Chief Judicial Magistrate, Bettiah, West Champaran in Shikarpur Police Station Case No. 235 of 2015.

(Shailendra Singh, J)

s.hassan/-

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

