

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27432 of 2021

Arising Out of PS. Case No.-15 Year-2015 Thana- BIKRAMGANJ District- Rohtas

SANJAY Ram Son of Ghura Ram Resident of Village - Shivpur, P.S.-
Bikramganj, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashray Roy, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

A supplementary affidavit carrying out necessary correction in the name of petitioner has been filed on behalf of the petitioner, which forms part of this application. Accordingly, learned counsel for the petitioner is permitted to make necessary correction in the main application during course of the day.

The petitioner seeks bail in connection with Bikramganj P.S. Case No. 15 of 2015 registered for the offence under Sections 304(B) of the Indian Penal Code.

The daughter of the informant is said to have been strangled on account of non-fulfillment of demand of dowry and her dead body was cremated by the petitioner and his family members.



Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, the petitioner happens to be brother-in-law (Bhaisur) of the deceased and he used to live separately from the deceased. He has never demanded any dowry nor he has assaulted the deceased in any manner. As a matter fact, the informant himself during course of examination deposed that her daughter died due to illness and on that ground the husband and mother-in-law of the deceased have been acquitted from the charges by the court below itself. Moreover, the police after investigation has submitted charge-sheet in this case vide Charge sheet No. 459 of 2020 on 09.01.2021. The petitioner is rotting in judicial custody since 11.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, 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 learned I/C S.D.J.M., Bikramganj, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 15 of 2015 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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