

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27144 of 2022

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

SHAMBHU RAM Son of Late Khedu Ram Resident of Village - Parsauni,
P.s.- Gobardhana, Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 304(B), 21/34
of the Indian Penal Code in connection with Shikarpur P.S. Case
No. 235 of 2015.

As per the allegation in the FIR, the informant
alleged that his daughter was married to Ozir Ram and for want
of dowry she was killed.

The petitioner is the brother-in-law of the husband
(of the deceased) as per the Annexure-3 of the bail application
the husband has since been acquitted by the court of learned
Additional Sessions Judge-IV, West Champaran at Bettiah on



10.9.2021.

Learned counsel for the petitioner submits that he being the brother-in-law has already suffered by being in jail since 12.10.2021 (as stated in para-12 of the bail application), the husband has been acquitted in the matter and other co-accused have also availed the privilege of bail (as per Annexure-2 to the bail application).

Taking into account the aforesaid facts as also that he is in custody since 12.10.2021, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 235 of 2015 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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