

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46217 of 2021

Arising Out of PS. Case No.-11 Year-2020 Thana- KARAMCHAT District- Kaimur (Bhabua)

1. CHHOTU RAM Son of Chandrama Ram R/O- Village Karma P.S. Chenari, District - Rohtas at Sasaram.
2. Chandrama Ram S/o Rambilash Ram R/O- Village Karma P.S. Chenari, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-03-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302 and 201 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the dead body of a female was recovered and on inquiry it transpired that the same happened to be of the wife of the petitioner no. 1 and daughter-in-law of the petitioner no. 2.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case for the reasons of them being the husband and father-in-law of the deceased. There are no eye witness to the occurrence. No material has transpired in course of investigation to connect the petitioners with the alleged crime. The petitioners are in custody since 22.1.2021 and



chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner no. 1 was travelling with the deceased from Delhi to Bihar by Mahabodhi Express on 17.2.2020. In the postmortem examination conducted on 18.2.2021, the death is said to have taken place about 48 hours ago. It is further submitted that the cause of death is said to be as a result of firearm injury.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the contents of the postmortem report, the Court is not inclined to enlarge the petitioner no. 1 Chhotu Ram on bail and the application is rejected for the present.

The petitioner no. 2 Chandrama Ram is directed to be enlarged on bail in connection with Karamchat P.S. Case no. 11 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua.

(Partha Sarthy, J)

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