

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50066 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- JALE District- Darbhanga

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KAMLESH RAM Son of Buhawan Ram Resident of Village- Ghogharaha,
P.S.- Jalley, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 54328 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- JALE District- Darbhanga

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GUDDU RAM Son of Bujhawan Ram Resident of Village - Ghoghraha, P.S.-
Jale, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 50066 of 2021)

For the Petitioner/s : Mr. Krishna Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 54328 of 2021)

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2022 Heard learned counsel for the parties.

The two petitioners in the two applications have
prayed for grant of regular bail in connection with Jalley P.S.
Case no. 176 of 2020 registered under section 304B of the
Indian Penal Code.

As per the prosecution case, the daughter of the



informant was married to the accused Guddu Ram in the year 2017. It is stated that the accused persons including the two petitioners herein continued to torture the daughter of the informant as also assault her for non fulfillment of demand of dowry. The informant received information on his mobile about the death of his daughter as a result of drowning. On the body of the informant's daughter being recovered, marks of assault could be seen. The informant states that the accused persons including the two petitioners herein assaulted and killed his daughter.

It is submitted by learned counsel for the petitioners that the petitioners are the *bhaisur* (elder brother of the husband of the deceased) and the husband of the deceased. The allegations are general and omnibus in nature. The death was an accident and the daughter of the informant died as a result of drowning. It was the mother-in-law of the deceased who gave information to the informant. The said mother-in-law has been enlarged on bail vide order dated 24.11.2021 passed in Cr. Misc. no. 29896 of 2021. The petitioners are in custody since 17.3.2021 and 21.1.2021 respectively.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner



Guddu Ram being the husband of the deceased together with the contents of the postmortem report wherein ante mortem injuries of assault have been found, the Court is not inclined to enlarge the petitioner Guddu Ram in Cr. Misc. no. 54328 of 2021 on bail and his application is rejected.

The learned trial court is directed to expedite the trial.

Taking into consideration the materials on record the petitioner Kamlesh Ram being *bhaisur* (elder brother of the husband of the deceased) together with grant of bail to the above mentioned co-accused Shila Devi and this petitioner having remained in custody for 1 year, the petitioner Kamlesh Ram in Cr. Misc. no. 50066 of 2021 is directed to be enlarged on bail in connection with Jalley P.S. Case no. 176 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 Additional Chief Judicial Magistrate 1st, Darbhanga.

(Partha Sarthy, J)

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