

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54979 of 2021

Arising Out of PS. Case No.-220 Year-2020 Thana- BASOPATTI District- Madhubani

=====

RAMA KAMAT SON OF LAKSHMESHVAR KAMAT Resident of Village
- Gausnagar, P.s.- Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate.
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 31-08-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Baidya Nath Thakur, learned counsel for
the petitioner as well as Mr. Satyendra Narayan Singh, learned
Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Basopatti P. S. Case No. 220 of 2020
registered for the offences punishable under Section 304 (B)
read with 34 of the Indian Penal Code.



As per the prosecution case, it is alleged that the marriage of the daughter of the informant was solemnized with the son of the petitioner in the year 2018. It is further alleged that soon after the marriage the daughter of the informant was subjected to torture and cruelty for non-fulfilment of demand of dowry. On 05.09.2020, the informant received an information that his daughter has been burnt to death by all the accused persons.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner happens to be father-in-law of the deceased aged about 70 years and there is no specific allegation of any overt act against him. It is next submitted that during the course of investigation, the statement of the witnesses/villagers have been recorded and they have categorically stated that when *hulla* was raised, they reached to the house of the petitioner found that the room of the deceased was closed from the inside and thereafter, the door was broken and the deceased was brought out. It is further submitted that other co-accused persons except the husband of the deceased have already been allowed privilege of bail by learned co-ordinate Benches of this Hon'ble Court and moreover, the petitioner is in custody since 17.07.2021.



On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is named in the F.I.R. and allegation of torture and demand of dowry has been made against him.

Having considered the submissions made on behalf of the parties and taking into account the fact that the petitioner happens to be father-in-law of the deceased and save and except the general and omnibus nature of allegation, there is no other materials and moreover, he is in custody since 17.07.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, I Class, Madhubani in connection with Basopatti P. S. Case No. 220 of 2020, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of



trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

shakir/-

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

