

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58255 of 2021

Arising Out of PS. Case No.-312 Year-2021 Thana- TURKAULIYA District- East
Champaran

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Krit Ram Son of Late Langar Ram Resident of Village - Jaisinghpur, P.S. -
Turkaulia, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 26-09-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Abhishek Kumar, learned counsel for
the petitioner as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Turkauliya (Raghunathpur) P.S.Case No.
312 of 2021 for the offences punishable under Sections
304B/ 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 accused Chandeshwar Ram in the year 2018. It is



further alleged that soon after the marriage, the daughter of the informant was subjected to torture on account of non fulfillment of dowry and the petitioner also used to make demand of gold chain etc. It is also alleged that on 09.04.2021, the informant received an information that his daughter was done to death by her husband and other family members including the petitioner.

Learned counsel for the petitioner submits that petitioner happens to be brother-in-law of the husband of the deceased, living separately from the husband of the deceased and has no concern with the family affairs. However, only on account of the fact that he played a role of mediator in the marriage of the informant's daughter and accused Chandeshwar Ram, he has been implicated in this case. He next submits that on the alleged date of occurrence, the petitioner was not even present at the house of the husband of the deceased and as such this shows that the petitioner does not have any role in causing death of the deceased. He last submits that the petitioner having fair antecedent is in custody since 13.08.2021 and there is no likelihood of conclusion of the trial in near future.



On the other hand, learned counsel for the State opposed the bail application and submits that the specific allegation has been levelled against the petitioner with regard to demand of dowry.

Regard being had to the submission on behalf of the parties and considering the fact that petitioner happens to be brother-in-law of the husband of the deceased, living separately from other members of the family of the husband of the deceased and there is no other allegation against the petitioner with regard to torture and assault, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya (Raghunathpur) P.S.Case No. 312 of 2021 subject to the condition that one of the bailors will be the close relatives 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)

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