

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50330 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- MIRGANJ District- Gopalganj

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ASHOK KUMAR RAM Son of Amawas Ram @ Amawash Ram Resident of
village - Khushiya Chhapar, Bhediya Tola, P.S.- Mirganj, District -
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned

APP for the State through video conferencing in view of the

COVID 19.

Let the defect(s), if any, as pointed out by the office

be removed within four weeks.

The petitioner is an accused in connection with

Mirganj P.S. Case No. 182 of 2021 for the offence registered

under Sections 304(B)/34 of the Indian Penal Code.

As per the prosecution story, the mother of the victim

girl has alleged that Pushpa Kumari was married to one Anil

Kumar Ram but was regularly assaulted/tortured for dowry.

The further allegation is that on 17.05.2021, she was poured

kerosene oil by the accused persons and was burnt. Accordingly,



the FIR was lodged.

Learned counsel for the petitioner submits that petitioner is the brother-in-law (dewar) of the deceased and lives separately from his brother and as such, there was no occasion for him to be part of the alleged occurrence.

Taking into account the fact that the petitioner is the brother-in-law (dewar) of the deceased, charge sheet stands submitted and he is in custody since 13.04.2022 (as stated in paragraph-22 of the bail application), this Court is inclined to grant him 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 Additional Chief Judicial Magistrate-XV, Gopalganj in connection with Mirganj P.S. Case No. 182 of 2021, subject to the following conditions:-

(i) one of the bailor should be the family member 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 reason will entail cancellation of his/her bail bond by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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