

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25707 of 2023

Arising Out of PS. Case No.-625 Year-2021 Thana- BIDUPUR District- Vaishali

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Dharmendra Ram Son of Singeshwar Ram Resident of village-Bulan Sarai,
P.S.-Bidupur, District-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bidupur P.S. Case No. 625 of 2021 registered on 22.12.2021 for the alleged offences under Sections 304B/34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the informant was married with the younger brother of the petitioner and on account of demand of dowry the petitioner and other co-accused persons killed the daughter of the informant within four years of her marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the brother-in-law of the deceased and he



has been living separately from her and her husband. The witnesses examined during investigation are all interested witnesses. The similarly situated co-accused persons have been granted bail by a Co-ordinate Bench vide order dated 25.11.2022 passed in Cr. Misc. Nos. 44193 of 2022 and 44287 of 2022, respectively. There is no eye witness to the alleged occurrence. Moreover, there is even dispute over the finding of dead body whether it has been found on haystack of Dhanu Ram or as appear from the inquest report whether it was recovered from the room belonging to Binda Ram and whether it was covered with straw/hay as the witnesses have stated that it was found covered with banana leaf. The petitioner is in custody since 31.07.2022 and charge sheet has been submitted. The petitioner has no got criminal antecedent.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstance and submissions made on behalf of the parties and considering the fact that the petitioner is stated to be brother of the husband of the deceased and allegation is general and omnibus and not specific against the petitioner and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to 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, Vaishali at Hajipur/concerned court in connection with Bidupur P.S. Case No. 625 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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