

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45453 of 2022**

Arising Out of PS. Case No.-189 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

MAHENDRA RAM S/O KHARU RAM Resident of village- Lakhmanpur,
P.S.- Chainpur, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Patel,Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, A.P.P

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2023 Heard the learned counsel for the petitioner and the learned APP for the State, Shri Mithlesh Kumar Khare.

The petitioner seeks regular bail in connection with Chainpur P.S. Case No. 189 of 2021, registered for the offence punishable under Sections 304(B)/ 201/ 34 of the Indian Penal Code.

The case of the prosecution, in brief, is that the marriage of the daughter of the informant was solemnized with the co-accused person, namely, Rampyare Ram, in the month of June, 2017, whereafter, the accused persons including the petitioner, who is the brother-in-law of the



deceased victim lady began torturing the deceased victim lady on account of non-fulfillment of the demand for dowry and ultimately, the accused persons killed her.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 13.04.2022. The learned counsel for the petitioner has further submitted that the husband of the deceased victim lady has already surrendered before the learned Court below and no prejudice would be caused to the prosecution, if the petitioner, who is brother-in-law of the deceased victim lady and has no role to play in the alleged occurrence, is granted bail.

Per contra, the learned APP for the State has though vehemently opposed the prayer for bail, but has submitted that the learned Court below be directed to verify the factum of surrender by the husband of the deceased victim lady before



enlarging the petitioner on bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioner herein and the main accused, who is the husband of the deceased victim lady, has already surrendered before the learned Court below, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged 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 ACJM-II Kaimur at Bhabua in connection with Chainpur P.S. Case No. 189 of 2021, subject to verification of the fact as to whether the husband of the deceased lady has surrendered before the learned Court below.



The present petition stands disposed off.

(Mohit Kumar Shah, J)

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