

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53760 of 2023

Arising Out of PS. Case No.-176 Year-2020 Thana- JALE District- Darbhanga

=====

BUJHAWAN RAM SON OF BAUN RAM R/V GHOGHRAHA, P.S. JALE,
DIST- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv. Mrs. Divya Bharti, Adv.
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions
Trial No.146 of 2022 arising out of Jale P.S. Case No. 176 of 2020
dated 21.10.2020 registered for the offence under Sections
304(B) of the Indian Penal Code.

The daughter of the informant is subjected to assault
and torture on account of non-fulfillment of demand of dowry by
the petitioner and others and she has finally been done to death
for want of dowry.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. In fact, the petitioner
happens to be father-in-law of the deceased and he has never



demanded any dowry nor he has assaulted the deceased in any manner. There is general and omnibus allegation against the petitioner and no specific allegation of any overt act is attributed to him. Moreover, the petitioner has been living separately from the deceased and his son. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that charge has also been framed in this case under Sections 498(A)/34, 304(B)/34 and 306/34 of the Indian Penal Code. He further submits that the co-accused, namely, Guddu Ram, who happens to be husband of the deceased has already been granted bail by a co-ordinate Bench of this Court vide orders dated 12.07.2023 passed in Cr. Misc. No. 30602 of 2023. The petitioner is rotting in judicial custody since 08.04.2022.

Learned counsel for the informant as well as learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that the trial has begun and three prosecution witnesses have been examined.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- Xth, Darbhanga in connection with Sessions Trial No. 146 of 2022 arising out of Jale P.S. Case No. 176 of 2020 with



the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

brajesh/-

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

