

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49233 of 2022

Arising Out of PS. Case No.-49 Year-2019 Thana- BIDUPUR District- Vaishali

Meghnath Ram @ Meghan Ram @ Ramesh Ram, S/O Raj Kumar Ram R/O
Village- Taiyabpur Kharjamma, P.S.- Desari, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rina Sinha- Advocate
For the State : Mr.Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 22-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 302,
201, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and being husband
has been implicated in the present case.

It is next submitted that the marriage was 09 years old
and the informant alleges that after marriage, the accused
persons including the petitioner were demanding a motorcycle
and a colour television and for non-fulfilment of the same, she
was tortured. It is next alleged that the accused persons even
used to torture his daughter that she would be killed in the



event, if demand is not fulfilled. It is further submitted that on 25.01.2019, the accused persons killed her daughter and the body was found near Jimdari Ghat within Bidupur Police Station. Thereafter, post mortem of the dead body was conducted and thereafter, cremation took place.

The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. It is next submitted that petitioner is not named in the F.I.R. It is further submitted that petitioner in presence of the informant had received the dead body from the hospital and thereafter, cremation took place. It is also submitted that the dead body was not found within the confines of the house rather was found at a place, which was far away from the house of the petitioner. It is next submitted that had the petitioner or his family members would have killed the deceased, then definitely an attempt would have been made to conceal the body, but the same was not done. The body was found, post mortem was conducted, which further demonstrates that the petitioner, being husband in a mechanical manner, came to be implicated. It is next submitted that even the marriage was 09 years old and in between these nine years, no case was ever instituted, which further goes to demonstrate that the relationship between the



petitioner and the deceased was cordial. It is also submitted that the informant is an illiterate person and he has also filed an application before the Court of the learned A.C.J.M.-14th, Vaishali at Hajipur stating therein that he never instituted the present F.I.R. The learned counsel further submits that out of the wedlock, a child was born, who presently is living with the petitioner. It is next submitted that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer for eliciting the truth.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-14th, Vaishali at Hajipur in connection with Bidupur P. S. Case No.49 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, in the event, if any application is filed by



the Investigating Officer bringing to the notice of the learned trial Court that petitioner, despite giving assurance to this Court that he will cooperate in the investigation, is not cooperating or is not presenting himself before the Investigating Officer, then in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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