

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59930 of 2022

Arising Out of PS. Case No.-1 Year-2020 Thana- KHIRI MORE District- Patna

1. RAM PRAVESH RAM Son of Late Rikhee Mochi R/v- Sidhipur, P.S- Khiri more, Dist- Patna
2. Nanda Devi Wife of Ram Pravesh Ram R/v- Sidhipur, P.S- Khiri more, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 21-06-2023 The present petition is by way of third attempt at the behest of the petitioners for grant of regular bail in connection with Khiri More P.S.Case No. 1 of 2020 under Sections 302, 304B and 120B/34 of the Indian Penal Code, inasmuch as the earlier prayers of the petitioners for grant of bail have all stood rejected by this Court.

The allegation is regarding the accused persons including the petitioners herein having killed the deceased victim lady on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioners has submitted that the petitioners are innocent and have not engaged in commission of any untoward incident and are languishing in



custody since 20.7.2020. It is also submitted that the trial is not progressing, inasmuch as the witnesses are not turning up.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail and has submitted that on an earlier occasion, this Court had gone through the entire records including the case diary and thereafter, being satisfied that the petitioners are having complicity in the alleged occurrence, had rejected their prayer for grant of bail vide order dated 03.03.2021, passed in Cr. Misc. no. 35844 of 2020. As far as the order dated 10.02.2022, passed in Cr. Misc. no. 45734 of 2021 is concerned, it has been submitted that it is apparent from a bare perusal of the same that a plea was taken before the said Hon'ble Bench that the petitioner of that case (husband of the deceased victim lady) is working in C.I.S.F. and on the alleged date of occurrence, he was posted in Kerala, implying thereby that it is not the petitioner but the other accused persons, who are responsible for the killing of the deceased victim lady and not the husband, who was not present at the place of occurrence. Thus, the complicity of the petitioners is writ large from the records in the alleged occurrence.

Having regard to the facts and circumstances of the case and considering the fact that there is no change in circumstance



so as to warrant re-consideration of the prayer of the petitioners for grant of bail apart from the fact that the petitioners are having complicity in the occurrence pertaining to killing of the deceased victim lady, I do not find any merit in the present petition, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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