

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62917 of 2022

Arising Out of PS. Case No.-132 Year-2019 Thana- KATEYA District- Gopalganj

RAMNIWAS PRASAD S/O Guruji Prasad R/O Village- Ahirauli, P.S-
Kateya, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 24-04-2023 Heard the learned counsel for the petitioner as well
as Mr. Shailendra Kumar, the learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Kateya P.S. Case No. 132 of 2019, registered
for the offences punishable under Sections 304B/201/34 of the
Indian Penal Code.

As per allegation, the marriage of the petitioner has
been solemnized with daughter of the informant five years prior
to lodging of the FIR. On 25.04.2019, the informant got an
information that the accused persons have committed dowry
death of his daughter. He rushed to the matrimonial house of her
daughter but none was present in her house. The informant came
to know that the petitioner and his brother Ram Swarup had



murdered his daughter and cremated her dead-body stealthily.

The learned counsel for the petitioner has submitted that the petitioner is innocent and this case has falsely been lodged only for ulterior motive. As a matter of fact, the deceased died due to cardiac arrest. The members of matrimonial house transmitted the information to the informant. He came and participated in cremation and thereafter, he lodged this case. Learned counsel has also submitted that though there is allegation of demand of dowry but the specific demand has not been mentioned. He has also been submitted that the petitioner is languishing in custody since 26.04.2019.

On the other hand, Shri Shailendra Kumar, the learned APP has opposed the prayer for bail and has submitted that the independent witnesses in paragraph No. 38 and 39 of the case diary have fully supported the entire occurrence.

A report about the stage of trial was called for which shows that charges have been framed on 02.03.2023. Thereafter, the learned trial court has issued summons against the non-official witnesses but not a single witness has turned up. The petitioner is under custody since 26.04.2019.

Considering the above-mentioned facts and circumstances well as the period of detention, let the petitioner,



above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XV, Gopalganj in connection with Kateya P.S. Case No. 132 of 2019, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Nawneet Kumar Pandey, J)

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