

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70409 of 2022

Arising Out of PS. Case No.-793 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

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RAMESH SAH Son of Prem Sah Resident of Village - Jhphan, P.S. -
Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Nidhi Anand, Adv.
		Ms.Suruchi Anand, Adv.
For the Opposite Party/s :		Mr.Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 304(B)/34 of the IPC.

Allegedly, the daughter of the informant is alleged to have
been killed by her in-laws on account of non-fulfillment of
demand of dowry.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. Petitioner is the
brother-in-law of the deceased. The allegation leveled against
the petitioner is not specific rather general and omnibus in



nature. It is further submitted that husband of the deceased is already in judicial custody. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Ahiyapur P.S. Case No.793 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, learned Court below is directed to verify as to whether the husband of the deceased is in judicial custody or not and if it is found that he is not in custody, the bail bond of the petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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