

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72881 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- SIWAIPATTI District- Muzaffarpur

ISHARU RAM S/O LATE KAILASH RAM VILLAGE- DHARAMPUR, PS.
SIWAIPATTI, DIST. MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-11-2023 Heard Ms. Khushi Awadh, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner is an accused in connection with Siwaipatti P.S. Case No. 119 of 2023 registered for the offences under sections 304(B), 201 and 34 of the Indian Penal Code lodged on 13.06.2023 by the informant, Fulgen Ram.

3. As per the prosecution story, the deceased lady called her parents and informed the previous day that she is ill. Next day, the husband informed that she is serious and upon reaching their house, she was found dead. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that he is father-in-law living separately and further since the lady was ill and information was given to the family members after her death, no postmortem was conducted. Still on some confusion,



the present FIR has been lodged.

5. In any case, he being father-in-law had no role to play in the matter. The last submission is that he is in custody since 26.07.2023 (as stated in paragraph 13 of the bail application).

6. Learned APP for the State, on the other hand, opposes the prayer for bail.

7. Considering the aforesaid facts/submissions put forward by the learned Counsel for the petitioner as also that he is father-in-law, is in custody since 26.07.2023 and do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate (East), Muzaffarpur in connection with Siwaipatti P.S. Case No. 119 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

9. With the aforesaid observations, the bail application is allowed.

10. Before parting, this Court would like to put on record its word of appreciation for Ms. Khushi Awash, learned counsel for the petitioner for proper assistance rendered in the matter.

(Rajiv Roy, J)

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