

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31221 of 2024

Arising Out of PS. Case No.-563 Year-2023 Thana- BUXAR District- Buxar

Dhanjee Ram S/o Lal Jee Ram Resident of Village- Khalasi Mohalla Buxar,
P.S.- Buxar Town, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 34840 of 2024

Arising Out of PS. Case No.-563 Year-2023 Thana- BUXAR District- Buxar

1. Lalji Ram N.A. VILLAGE- Khalasi Mohalla BUXAR, P.S.- BUXAR TOWN, DIST- BUXAR
2. BHUAR RAM S/O LALJI RAM VILLAGE- KHALASI MOHALLA BUXAR, P.S.- BUXAR TOWN, DIST- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 31221 of 2024)
For the Petitioner/s : Mr. Anand Kumar Ojha
For the Opposite Party/s : Mr. Madhuri Lata
(In CRIMINAL MISCELLANEOUS No. 34840 of 2024)
For the Petitioner/s : Mr. Anand Kumar Ojha
For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 30-08-2024 Heard the parties.

2. The petitioners are in custody in connection with
S.Tr. No. 01/2024 arising out of Buxar (town) P.S. Case No. 563
of 2023 for the offence punishable under sections 304(B) and 34
of the Indian Penal Code lodged on 10.10.2023 by the



informant, Chotakram.

3. As per the prosecution story, the petitioner solemnized was in relationship with the deceased and solemnized marriage but according to the allegation, he thereafter started torturing for the dowry and ultimately, she was killed. Accordingly the FIR.

4. Learned counsel for the petitioners submit that so far as the two petitioners in Criminal Miscellaneous No. 34840 of 2024 is concerned they are father in law and brother in law having no role to play, living separately and do not have criminal antecedent. The further submission is that they will be diligently appearing in trial if granted relief. So far as the case of husband is concerned, according to him, it was a love marriage and as such, no questions arose of maltreating her.

5. Learned APP on the other hand points out that the Post-Mortem Report is on record which shows that the cause of death was injury in the brain due to wound caused by hard and blunt substance.

6. Considering the fact that the husband who solemnized the marriage after being in relationship with the lady failed to protect her and on the contrary there is Post Mortem report to show that she died of injuries in the brain caused by



hard and blunt substance, his (husband) bail application stands rejected.

7. So far as the father-in-law and the brother-in-law in Cr. Misc. No. 31221 of 2024 have been concerned, they live separately and an undertaking given by the learned counsel for the petitioners in that case that they will be diligently appearing in the trial, this Court is inclined to extend them privilege of bail with condition.

8. Let the petitioners in Cr. Misc No. 34840 of 2024 namely Lalji Ram and Bhuar Ram be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Judge-III, Buxar in connection with S.Tr. No. 01/2024 arising out of Buxar (town) P.S. Case No. 563 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners (Lalji Ram and Bhuar Ram) who shall provide official document to show his/her bona fide;

(ii) the petitioners (Lalji Ram and Bhuar Ram) 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 their bail bond by the Trial Court itself;



(iii) the petitioners (Lalji Ram and Bhuar Ram) shall appear before the concerned police station every fortnight for six months to mark their attendance;

(iv) the petitioners (Lalji Ram and Bhuar Ram) 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 the bail bonds;

(v) the petitioners (Lalji Ram and Bhuar Ram) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Ravi/Ankit/-

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