

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2430 of 2024

Arising Out of PS. Case No.-20 Year-2021 Thana- BHEJA District- Madhubani

1. Sitaram Ram Son Of Late Bhola Ram Resident Of Village- Bashipatti, P.S.- Bheja, District- Madhubani
2. Durga Devi Wife Of Sitaram Ram Resident Of Village- Bashipatti, P.S.- Bheja, District- Madhubani
3. Punni Prasad Ram @ Punnit Ram @ Punni Prasad Son O Sitaram Ram Resident Of Village- Bashipatti, P.S.- Bheja, District- Madhubani
4. Amarjeet Ram @ Amarjit Ram Son Of Sitaram Ram Resident Of Village- Bashipatti, P.S.- Bheja, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-01-2024 Heard Mr. Gagan Deo Yadav, learned counsel
appearing on behalf of the petitioners and the learned Additional
Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Bheja P.S. Case No. 20 of 21, registered for the offences
punishable under Sections 341, 323, 498(A), 302, 228/34 of the
Indian Penal Code and ³/₄ D.P. Act, 1961.

3. It is alleged that the marriage of the informant was
solemnized with the son of the petitioner no. 1 and 2 three years
ago. Later on the informant blessed with a son, who was aged



about one year. It is further alleged that accused persons were indulged in demanding dowry and on the alleged date of occurrence they administered poison to her son due to which he died.

4. Learned counsel appearing on behalf of the petitioners submit that the petitioner no. 1 and 2 are none else but the grandparents, whereas the petitioner no. 3 and 4 are aunt and uncle of the deceased child. The case has been instituted on a suspicion and save and except suspicion, there is no other material, moreover, there was no reason or any occasion to kill their own grandson who was only aged about only one year. Taking into consideration the aforesaid fact the police after investigation submitted final form showing the petitioners are innocent and not sent up for trial, however, differing with the final report, the learned Court has taken cognizance for the offences as alleged in the FIR, thus, the necessity of the present anticipatory bail. He lastly submits that the petitioners are persons of fair antecedent and they undertake that they will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that specific allegation has been leveled against the petitioner



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners have not been sent up for trial and differing with the final report the learned Court has taken cognizance for the offences alleged in the FIR, coupled with the fair antecedent and the husband of the informant, Bhagawant Ram, who happens to be father of the deceased child has been granted regular bail in Criminal Misc. No. 5202 of 2023, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate in connection with Bheja P.S. Case No. 20 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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