

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6536 of 2025

Arising Out of PS. Case No.-140 Year-2024 Thana- PIYAR District- Muzaffarpur

Kanchan Ram S/O LATE RUDAL RAM R/O VILLAGE- MOHANPUR,
P.S.- PIYAR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra Ojha, Advocate
For the State : Mr. Lalan Kumar, A.P.P.
For the Opposite Party/s : Mr. Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-07-2025 Heard Mr. Krishna Chandra Ojha, learned counsel

for the petitioner, Mr. Sanjeev Kumar, learned counsel for the

opposite party no. 2 and Mr. Lalan Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Piyar P.S. Case No. 140 of 2024, F.I.R. dated
03.08.2024 for the offences punishable under Sections 126(2),
115, 85, 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant's
daughter was married to the petitioner ten years ago. Since the
beginning of the marriage, her husband and in-laws allegedly
harassed her over dowry demands. On 02.08.2024, the
informant learned from villagers that his daughter has been



killed. Upon reaching her matrimonial home, he found her dead body and all in-laws had absconded.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely implicated in the present case. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact the informant is not the eye-witness of the alleged occurrence and the petitioner has been made accused in the present case merely on the ground that the petitioner is husband of the deceased. In fact on the date of occurrence, the petitioner was at Pune, Maharashtra for earning of his livelihood and he has been informed by the family members of the deceased about the incident and he has no role at all in the present occurrence.

5. The learned Additional Public Prosecutor for the State as well as learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is husband of the deceased and he is sole responsible for the present occurrence, apart from that, anticipatory bail petition of the co-accused persons, namely, Ajay Ram and Others, they are family members of the petitioner, have been rejected by a Co-ordinate



Bench of this Court.

6. Considering the aforesaid facts that the petitioner has clean antecedent and it has come during investigation that the petitioner was not present at the place of occurrence, he was at Pune, State of Maharashtra on the date of occurrence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., Muzaffarpur in connection with Piyar P.S. Case No. 140 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Neha/-

U		T	
---	--	---	--

