

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38278 of 2025

Arising Out of PS. Case No.-322 Year-2023 Thana- CHOUTARWA District- West
Champaran

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Jitender Ram @ Jitendra Ram S/o Khedu Ram R/o Vill.- Bahuarwa Kanta,
PS- Choutarwa, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Choutarwa P.S. Case No. 322 of 2023 instituted for the offences
under Sections 304(B), 120(B), 34 of the Indian Penal Code.

3. As per prosecution case, the sister of the informant
has been done to death by her in-laws due to non-fulfillment of
the dowry demand.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is the husband of the deceased. There is no
specific or direct allegation of any overt act against the



petitioner rather the same is general and omnibus in nature. He further submits that different independent witnesses in their statement have stated that the petitioner was not present at his home when the occurrence took place. The petitioner has never demanded dowry from the deceased or from her family members. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 24.10.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioners again submits that the co-accused namely Khedu Ram has been granted bail by this Court vide order dated 03.04.2025 passed in Cr. Misc. No. 17539 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is the husband and the offence alleged against him is serious in nature. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner and another for offence under Sections 304B/120B/34 of the I.P.C.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Choutarwa P.S. Case No. 322 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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