

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47809 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

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Ram Deo Prasad, son of Late Mohan Prasad, village-Badapur, P.S.
Telhara, Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manager Sah

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 25-11-2016

Heard counsel for the petitioner and the State.

The petitioner became the informant of Telhara P.S. Case No. 01 of 2016 registered under sections 302 & 354(B) IPC alleging that he found his son Sonu Kumar and one Sudhir Kumar carrying the body of his daughter-in-law. On midway, the daughter-in-law died. His two grandsons informed him that Ramadhin Prasad had attempted to commit rape on the deceased which was protested as a result whereof she was strangled to death. Accordingly, the FIR was lodged against co accused Ramadhin Prasad. However, the police in course of investigation found it a case of dowry death and accordingly section 304-B IPC was added.

It is submitted that father of the deceased soon after lodging of the case recorded his statement under section 164 Cr. P.C. (Annexure-3) wherein specific allegation of demand of

dowry and causing death of his daughter has been attributed to the husband namely Sonu Kumar. The petitioner is aged about 76 years. Considering the statement made by the father of the victim under section 164 Cr. P.C. some other accused persons of this case have been granted regular bail by this Court. A copy of the said order is annexed at Annexure-4.

Considering the particular facts of the facts as also the age of the petitioner who is in custody since 12.05.2016, I am persuaded to extend him the privilege of bail. Let him be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 2nd Addl. Sessions Judge, Hilsa, Nalanda in S. Tr. No. 366 of 2016 arising out of Telhara P.S. Case No. 01 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person each date fixed at the trial. In case of default in doing so on two consecutive dates the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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