

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11966 of 2018

Arising Out of PS.Case No. -505 Year- 2017 Thana -WAJIRGANJ District- GAYA

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Ramji Prasad, Son of Late Bandhu Mahto, resident of Tarma, P.S.-
Wajirganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 24.11.2017 in connection with Wazirganj P.S. Case No. 505 of 2017 for the alleged offences under Section 304(B)/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the father-in-law of the deceased. It is pointed out that much prior to the present FIR a fardbeyan of the deceased herself was recorded on 22.10.2017 in the Surgery ICU Ward of MMCH, Gaya wherein she had categorically stated that she had suffered burn injuries while preparing tea for her uncle who had visited her. She had stated that owing to gas leakage her clothes had caught fire and in course of attempts to save her, her husband also suffered burn injuries and for which both of them were being treated at the hospital. It is submitted that she was referred to the PMCH, Patna and in course of treatment she died. She has categorically absolved anyone from the blame. The FIR has been instituted belatedly on 06.11.2017.



The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Gaya in connection with Wazirganj P.S. Case No. 505 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/BT

(Vikash Jain, J)

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