

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6412 of 2020

Arising Out of PS. Case No.-116 Year-2019 Thana- NAYAGAON District- Saran

ROOPJITAN SAH Son of Late Rambalak Sah Resident of Village - Bariyar
Chak, P.S.- Nayagaon, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

3 07-09-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, apprehends his arrest in a case registered
for the offences punishable under Sections 304(B), 201/34 of
the Indian Penal Code.

Allegation against the FIR named accused including the
petitioner is to have killed the daughter of the informant and
thereafter disposed of her dead body due to non-fulfillment of
demand of dowry.

It is submitted on behalf of learned counsel for the
petitioner that he is innocent and has falsely been implicated in
this case. There is general and omnibus allegation against the



petitioner. It is further submitted that petitioner is father-in-law of the deceased / daughter of the informant.

It is submitted that victim was suffering from mental problem and she became traceless and even after much effort, she could not be traced. During investigation also, independent witnesses have stated that victim was mentally unsound and went missing. Informant subsequently realized his mistake and filed a petition in the court that he had instituted FIR under misconception and misguidance and without knowing the true facts.

Petitioner has a clean antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Nayagaon P.S. Case No. 116/2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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