

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20388 of 2020

Arising Out of PS. Case No.-128 Year-2019 Thana- OBRA District- Aurangabad

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SHEO NARAYAN SAO S/o Late Kedar Sao R/o village- Aranda, P.S.- Obra,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sewak Prasad

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2020 The matter has been taken up through virtual court proceeding.

Since, the physical court is not functional, due to present pandemic Covid-19, the present application has been listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of functioning of the court in physical mode.

If the defects are not removed within undertaken period, the office will again place the matter on board.

Heard learned counsel for the petitioner and the State.



The petitioner, being the father of the husband of the victim, who is languishing in custody since 31.10.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case, as per the written report of Gopal Prasad Gupta, submitted to the S.H.O., Obra Police Station is to the effect that the daughter of the informant, Rani Devi was married with the son of the petitioner, Papu Sao in the year 2013. Thereafter, they were blessed with three children, but subsequently, one year prior to the lodging of the present case, the son-in-law of the informant, co-accused, Pappu Sao started demanding further dowry of a motorcycle and a cot and due to non-fulfillment of the same, the daughter of the informant was being tortured. Ultimately, the daughter of the informant was killed by all the accused persons including the petitioner by administering poison.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the victim. The petitioner is aged about 68 years and the investigation has already been concluded.

Learned APP submits that the petitioner is named in



the FIR with specific accusation.

Considering the fact that the thrust of accusation is against the husband of the informant, the period under custody and the investigation has already been concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned SDJM, Aurangabad in connection with Obra P.S. Case No. 128 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned SDJM, Aurangabad in connection with Obra P.S. Case No. 128 of 2019.

The learned Court below will be at liberty to extend the period of provisional bail further if the court proceeding in



physical mode will not resume in next three months.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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