

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20472 of 2020

Arising Out of PS. Case No.-198 Year-2019 Thana- MANER District- Patna

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RANJIT KUMAR @ RANJIT YADAV Son of Late Ram Janam Singh
Resident of Village- Sadikpur, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sucheta Yadav

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2020 The matter has been taken up through virtual

Court proceeding.

Since the physical court proceeding is non-

functional due to the present pandemic COVID-19, the

matter is listed with defects.

Learned counsel for the petitioner undertakes to

remove the defects within three weeks of the resumption

of the physical Court proceedings.

In case of non-removal of the defects within

undertaken period, the office shall place the matter

before the bench.

Heard learned counsel for the petitioner and



learned counsel for the State.

The petitioner being brother-in-law of the husband of the victim is apprehending his arrest in a case registered for the offences punishable under Sections 304B, 201, 34 of the Indian Penal Code, 1860.

The prosecution case as per the written report of Vivek Kumar submitted to the SHO, Maner Police Station is to the effect that informant performed marriage of his sister with Gopal Yadav. Subsequently, they were blessed with three children but subsequent to the marriage, there was demand of motorcycle and one lakhs rupees and for non-fulfillment of the same, the entire family members used to torture the victim. The informant came to know through someone that the sister of the informant has been killed by all the in-laws people including the petitioner. Subsequently on 19.04.2019 the informant came to her sister-in-laws house and found her dead body.

Learned counsel for the petitioner submits that



petitioner is brother-in-law of the husband of the victim. The accusation is omnibus and general against all the accused persons and deliberately the date of the marriage has not been disclosed in the F.I.R which brings the case under the purview of Section 304B I.P.C. since the sister of the informant got married on 10th of May, 2020 and she died after eight years of the marriage. The informant has also not disclosed that who informed about the alleged occurrence.

Learned counsel for the State submits that petitioner is named in the F.I.R.

Considering the fact that thrust of accusation is against the husband of the victim and the accusation is omnibus and general against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks, be released on provisional anticipatory bail for a period of three months on furnishing one surety to the satisfaction of learned Judicial Magistrate,



Danapur/concerned Court in connection with Maner P.S. Case No. 198 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 anticipatory bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Danapur/concerned Court in connection with Maner P.S. Case No. 198 of 2019 including one surety given at the time of provisional bail.

The learned Court below will be at liberty to



further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next three months.

Accordingly the present application stands disposed of.

(Dinesh Kumar Singh, J)

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