

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19796 of 2020

Arising Out of PS. Case No.-176 Year-2016 Thana- ALOULI District- Khagaria

Manoranjan Kumar @ Pappu Kumar Son of Sri Madan Prasad Yadav
Resident of Village- Sanjhauti, P.S.- Allouli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Bhushan

For the Opposite Party/s : Mrs. Dr. Indivar Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-09-2020 The matter has been taken up through virtual

Court proceeding.

Since the court proceeding is non-functional in
physical mode 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 is languishing in custody since



07.11.2019 in a case registered for the offences punishable under Sections 341, 323, 504, 506, 498A of the Indian Penal Code, 1860 and Section 3 /4 of the Dowry Prohibition Act.

The prosecution case as per the written report of Suchi Kumari, submitted to the S.H.O, Allouli Police Station is to the effect that informant was married with the petitioner on 27.01.2012 but subsequent to the marriage, there was further dowry demand of a scorpio vehicle, a refrigerator, washing machine etc. and for non-fulfillment of the same, torture was inflicted upon the informant at the hands of the F.I.R named accused persons. It is alleged that on 09.07.2016 at 8:30 A.M., the petitioner along with two unknown persons came in drunken condition and asked the informant to convey her father to pay Rs. three lakhs. On showing her inability, the petitioner along with two other persons tried to throttle the informant.

It is submitted by learned counsel for the



petitioner that there is no medical report to support the prosecution version and the investigation has already been concluded.

Learned counsel for the informant and the State submit that earlier the petitioner was granted provisional bail on an undertaking to keep his wife and daughter with full dignity and honour but he failed to comply the undertaking, as a result, the modification application was not allowed and his bail bond was cancelled.

Considering the nature of accusation and the fact that 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 learned Chief Judicial Magistrate, Khagaria in connection with Allouli P.S. Case No. 176 of 2016, arising out of G.R. No. 1516 of 2016.

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. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Allouli P.S. Case No. 176 of 2016, arising out of G.R. No. 1516 of 2016 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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