

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22270 of 2020

Arising Out of PS. Case No.-8 Year-2019 Thana- DUMARIYA District- Gaya

Kail Sao S/o Late Anchu Sao Resident of Village- Manjhauli, P.S.- Dumariya,
Distt- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kumar Nikhil, Adv.

For the Opposite Party/s : Mr. Panchanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 23-12-2020 Heard learned counsel for the petitioner and
learned counsel for the State via video conferencing.

2. The petitioner seeks bail in connection with
Dumaria P.S. Case No. 8 of 2019 registered for the offence
punishable under Section 304-B/34 of the Indian Penal Code.

3. It is submitted by the learned counsel for the
petitioner that save and except the fact that the petitioner is
father-in-law of the deceased, there is no difference in the
allegation made against the petitioner and other in-laws, namely,
Manaka Devi @ Manika Devi, Sanju Devi and Mahesh Sao,
who have been granted pre-arrest bail by a Bench of this Court
vide order dated 4.11.2019 passed in Cr. Misc. No. 51989 of
2019. It is contended that the petitioner is in custody since
15.11.2019. He has got roots in society and is not likely to



abscond or tamper with the evidence, if released on bail. It is also contended that the petitioner was not living in jointness with his son, who is mainly responsible for the alleged unnatural death of his wife. According to him, the husband is already in jail.

4. Learned counsel for the State has opposed the application for grant of bail to the petitioner. He submitted that the deceased-daughter-in-law of the petitioner died an unnatural death within one year of her marriage. The petitioner being one of the relatives of the husband of the deceased does not deserve bail. However, he could not point out any distinction between the case of the petitioner and the case of other co-accused, who have already been granted pre-arrest bail.

5. Having heard the parties and considered the materials on record, the petitioner is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Sherghati in connection with Dumaria P.S. Case No. 8 of 2019.

6. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the



following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Sr. Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Sr. Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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