

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27970 of 2020**

Arising Out of PS. Case No.-41 Year-2005 Thana- TRIVENIGANJ District- Supaul

BABLU RAM S/o Late Boku Ram Resident of Village-Laxmipur, Police
Station-Triveniganj, District-Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta,Advocate

For the Opposite Party/s : Mr.Kumar Virendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 08-12-2020 Heard learned counsel for the petitioner and Mr. Kumar
Virendra Narayan, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Triveniganj P.S. Case No. 41 of 2005 registered for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner happens to be the younger brother of the husband of the deceased. It is submitted that from the First Information Report it would appear that there are vague allegations saying that this petitioner was also involved in torturing her daughter. Learned counsel then submits that in this case the husband and in-laws have already been granted bail in Cri. Misc. No. 883 of 2008 and Cri. Misc. No. 50510 of 2008. So far as this petitioner is concerned, he is a labourer and earns his livelihood working outside the State,



therefore, earlier he could not surrender in connection with this case. He has otherwise no criminal antecedent.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner, this Court has noticed from the report as contained in letter no. 45 dated 09.11.2020 received from the court of learned Additional District and Sessions Judge, V, Supaul that in this case charge has been framed as back as on 12.12.02019 but till date no witness has been examined. The petitioner is in custody in this case since 13.09.2019 and is ready to abide by the terms and conditions which may be imposed for purpose of securing his appearance in course of trial, therefore, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge-VI, Supaul in connection with Triveniganj P.S. Case No. 41 of 2005, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the



facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that the petitioner shall present himself in course of trial on each and every date fixed in the matter and two consecutive defaults in putting appearance in the trial court shall lead to cancellation of the bail bond of the petitioner.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

