

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.29127 of 2020**

Arising Out of PS. Case No.-191 Year-2020 Thana- DHAKA District- East Champaran

JAGDEV DAS Son of Late Gena Das Resident of Village - Lahan Dhaka,
P.S.- Dhaka, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv.

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

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

4 22-12-2020 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Dhaka P.S. Case No.191 of 2020 registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that this petitioner is said to be the father-in-law of the deceased, in course of investigation the informant has only reiterated the general and omnibus allegation of involvement of this petitioner as well. Learned counsel submits that there is no independent material showing



commission of any overt act by this petitioner who is claiming that he is separate in mess and business from his son. It is submitted that the husband of the deceased is already in custody and the petitioner has remained in jail for over 7 months.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is the father-in-law of the deceased, in course of investigation the informant has only reiterated the general and omnibus allegation of involvement of this petitioner as well but no independent material has been pointed out to this Court showing commission of any overt act by this petitioner who is claiming that he is separate in mess and business from his son, the husband of the deceased is already in custody, the petitioner has remained in jail for over 7 months, investigation against him is complete but the trial is not likely to be concluded in near future, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikarhana at Dhaka, East Champaran in connection with Dhaka P.S. Case No.191 of 2020, subject to the condition as laid down under Section 437 (3) 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 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 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.

(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'.

