

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.29116 of 2020**

Arising Out of PS. Case No.-53 Year-2020 Thana- BABUBARHI District- Madhubani

RAM BILASH MUKHIYA S/o Late Lobaj Mukhiya @ Late Lobhat Mukhiya
Resident of Village-Murhadi Barki Tole, P.S.-Babubarhi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

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

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

4 22-12-2020 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 Babubarhi P.S. Case No.53/2020 registered for the offences punishable under Sections 304(B), 201 and 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 and in the First Information Report it has come that the husband of the deceased was demanding one shebuffalo and a motorcycle. Learned counsel submits that there is no specific allegation of demand of dowry against this petitioner. It is submitted that the petitioner has no criminal antecedent and he is in custody since



12.03.2020.

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 said to be the father-in-law of the deceased and in the First Information Report it has come that the husband of the deceased was demanding one shebuffalo and a motorcycle, this petitioner has not been specifically alleged to have demanded anything though the entire family has been named, the FIR also discloses quarrel between the deceased and her husband few days back, there being no independent evidence against the petitioner being involved in the alleged occurrence, he has remained in jail for 7 months and investigation against him is complete, 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 A.C.J.M.- III, Madhubani in connection with Babubarhi P.S. Case No.53/2020, 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 petitioners 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'.

