

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27363 of 2020

Arising Out of PS. Case No.-271 Year-2018 Thana- RANIYATALAB District- Patna

Shri Ram Yadav, Son of Ram Dhyani Yadav, Resident of Village- Selgadh,
P.S.- Rani Talab, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Mr. Mukesh Kumar Singh, learned APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General. His name may also be printed in the cause list.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Rani



Talab P.S. Case No.271 of 2018 registered for the offence punishable under Sections 304B and 201/34 of the Indian Penal Code.

The petitioner being the father-in-law of the victim has been made an accused for the offence under Section 304B of the Indian Penal Code. F.I.R. has been lodged by the mother of the victim. The record reveals that the matter has been listed on a mentioning made by the petitioner's counsel that the petitioner's father has died and he is required for performing the last rites.

Petitioner's counsel submits that the instant petitioner had joined his wife in the anticipatory bail proceedings in Cr.Misc. No.8609 of 2020, wherein his wife was allowed anticipatory bail. The petitioner, in the meantime, had been arrested. It is submitted that from the FIR, it is evident that the victim died in course of treatment. Annexure 2 to this petition is an application made by the informant to the extent that the FIR has been lodged on suspicion. The petitioner bears a clean past and is in custody since 08.04.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is



inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri P.K. Malviya, learned Judicial Magistrate 1st Class, Danapur, District-Patna, in connection with Rani Talab P.S. Case No.271 of 2018, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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