

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25511 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- RAUTA District- Purnia

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AJAY KUMAR BOSAK @ CHAUPAL @ AJAY CHAUPAL @ AJAY
BOSAK S/o Braj Mohan Bosak @ Braj Mohan Chaupal Resident of Village-
Meerapur, P.S.-Rauta, District-Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 21-10-2020

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. Umesha Nand Pandit, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General. Henceforward his name may also be printed in the cause list.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

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

Petitioner seeks bail in Rauta PS Case No. 37 of 2019 registered under Section 304B/34 of the IPC.

It is a case of dowry death, the petitioner is husband. Taking note of the submissions advanced on behalf of the petitioner that the victim (wife) was suffering from mental illness and was undergoing treatment and that she committed suicide while the



petitioner was not at home, this Court on 3.3.2020 in Cr. Misc. No. 59528 of 2019 had rejected the prayer for bail with liberty to renew the prayer for bail once the charge is framed.

The petitioner is in custody since 9.4.2019. On the basis of Annexure 3 it is submitted that charge has already been framed.

The Court had earlier also called for a report from the court below regarding stage of the trial. As per report, there is no progress at the trial in view of Covid – 19 pandemic and limited functioning of the Court. The petitioner is said to be a man of clean antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Purnia in Rauta PS Case No. 37 of 2019 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.

(Madhuresh Prasad, J)

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