

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30381 of 2020

Arising Out of PS. Case No.-569 Year-2019 Thana- BAHADURPUR District- Darbhanga

RAM PUKAR KAMTI @ RAM PUKAR KAMAT Son of Ram Sajiwan
Kamti @ Budhu Kamti @ Mahindra Kamat Resident of Village- Chakka
Pirri, Police Station - Bahadurpur (Fekla O.P.), District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Upadhyay, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-11-2020 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.

Ms. Anita Kumari, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

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 Bahadurpur (Fekla O.P.) PS Case No. 569 of 2019 registered under Sections 304(B) and 201/34 of the IPC.

The informant's sister has allegedly been done to death for non fulfilment of dowry in her matrimonial home. The petitioner is the husband.

Referring to Annexure 2 it is submitted by learned



Counsel for the petitioner that the informant has subsequently filed a petition that under misconception he has lodged the case and that the death has occurred probably on account of consuming some stale food and that he was present at the time of cremation of his sister. The petitioner is stated to be a man of clean antecedent and the petition subsequently filed by the informant belies the prosecution case. The petitioner is now in custody since 23.4.2020.

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 Judicial Magistrate, 1st Class, Darbhanga in Bahadurpur (Fekla O.P.) PS Case No. 569 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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