

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 80765 of 2019**

Arising Out of PS. Case No.-150 Year-2018 Thana- NALANDA District- Nalanda

SHIV KUMAR PRASAD @ SHIV PRASAD @ SIMA PRASAD Son of
Late Mohan Mahto Resident of Village-Jagdishpur, P.S. and District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Ms.Pronoti Singh

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 13-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Nalanda Police Station (for
brevity, *PS*) Case No 150 of 2018 instituted for the offence
punishable under Sections 304B, 201/34 of Indian Penal Code.

Being father-in-law of the deceased, the petitioner is
implicated in this case instituted by mother of the deceased.
Learned counsel for the petitioner submits that from the first
information report itself, it is obvious that the case is a false
case instituted as an afterthought. The alleged intimation
regarding death was received by the informant on 03.09.2019.
However, FIR was lodged on 26.09.2019. In fact, the deceased
died of medical reasons during course of treatment. Petitioner is



the father-in-law and there is no specific allegation against him.
He is in custody since 08.09.2019.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda in connection with Nalanda PS Case No 150 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.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

