

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13549 of 2021**

Arising Out of PS. Case No.-47 Year-2020 Thana- KARJA District- Muzaffarpur

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SANTOSH RAM Son of Late Laldev Ram Resident of Village - Aima
Bishunpur, P.S.- Karja, District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

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 Karja P.S. Case No. 47 of 2020 registered for the offences punishable under Sections 304(B)/120(B)/34 of the Indian Penal Code.

As per the prosecution story, the daughter (deceased) of the informant was married to one Binod Ram seven years ago. After the marriage family members of the deceased started to torture her and ousted her from their house for demand of motorcycle and cash Rs. 1,00,000/-. A panchayati was convened

and the daughter of the informant went to her sasural but the dispute did not resolve. On 18.02.2020 at about 7.00 pm daughter of the informant informed her mother that her in-laws are planning to kill her and throw her in pond and ultimately the in-laws killed her on the same day at 9.00 pm.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner lives separate from the husband of the deceased for last five years. Learned counsel for the petitioner submits that the petitioner is in custody since 15.06.2020 having no criminal antecedent.

Learned A.P.P. 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 elder brother of the husband of the deceased and submission is that he is separate in mess and business, the petitioner has remained in jail since 15.06.2020, investigation against him is complete but the trial is not likely to take place in near future, 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.-V, Muzaffarpur in connection with Karja P.S. Case No. 47 of 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 petitioner 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. However, the acceptance of bail bonds in terms of the
above-mentioned order shall not be delayed for purpose of or in
the name of verification.

This application stands disposed of accordingly.

(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'.