

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13758 of 2021

Arising Out of PS. Case No.-504 Year-2020 Thana- AKBARPUR District- Nawada

Ravindra Kumar, S/o Late Rajdeo Yadav, Resident of Village- Ghutkuan, P.S-
Fatehpur, District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-08-2021 The matter has been taken up 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.

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

The petitioner seeks bail in connection with
Akbarpur P.S. Case No.504 of 2020 registered for the offence
punishable under Sections 302 and 201 of the Indian Penal
Code.

The informant has stated that his daughter, aged 21
years, who was working as a Bank Mitra, has left home never to



return. Dead body of the girl was found near Patangi More.
F.I.R. thereafter has been lodged.

Learned counsel for the petitioner submits that in the investigation it has emerged that she was having intimate relation with one Praveen Kumar alias Pawan Kumar (co-accused) and perhaps carrying a pregnancy out of intimate relation. Said Praveen Kumar alias Pawan Kumar has given some pills for termination of pregnancy. Thereafter she has suffered excessive bleeding and she has come to the clinic of the instant petitioner where the petitioner has made attempt to save her, though without any valid medical degree.

Learned counsel for the petitioner further submits that from the material collected in the course of investigation, which has been considered in detail in the order of the learned Sessions Judge rejecting the petitioner's prayer for bail, it is apparent that the offence under Section 302 of the I.P.C. would not be made out as the petitioner has tried to save the victim although the fact of practising without a valid degree has come in the investigation. The victim's dead body was recovered and therefore the case under the provisions of Section 201 of the I.P.C. would also not be made out against the petitioner, if at all, responsibility lies with the co-accused Praveen Kumar alias



Pawan Kumar. The petitioner has no criminal antecedents and is in custody since 16.09.2020.

Learned APP for the State has opposed the prayer for bail. It is submitted that it is a case where the petitioner has treated the girl without any valid degree, on account of which she has died.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 learned Chief Judicial Magistrate, Nawada, in connection with Akbarpur P.S. Case No.504 of 2020, 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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