

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23367 of 2021**

Arising Out of PS. Case No.-95 Year-2020 Thana- HULASGANJ District- Jehanabad

AJAY KUMAR SON OF AWADHESH PRASAD R/O VILLAGE-
MURGAV, P.S.- HULLASGANJ, DISTRICT- JEHANABAD (BIHAR).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mithilesh Kr. Arya, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 27-08-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Chandra Sen Prasad Singh, learned APP for the State.

Petitioner in the present case is seeking regular bail in connection with Hulashganj P.S. Case No. 95 of 2020 for the offences punishable under Section 302, 201/341 of the Indian Penal Code. He is in custody since 8.12.2020.

As per the prosecution story the marriage between the deceased and co-accused Vikash Kumar had taken place about ten years ago. It is alleged that the daughter of the informant (since deceased) was being harassed for dowry and she was being taunted for not bringing adequate dowry. It is alleged that she was abused,

beaten and had been threatened to kill by members of her sasural family. She was taken to her sasural with her son by co-accused Vikash Kumar, Sanjay Kumar and Guriya Devi but on the subsequent date she was murdered and her dead body was burnt.

Learned counsel submits that the petitioner happens to be cousin brother of the husband of the deceased and has been made accused only because he happens to be the kith and kin of the husband. There is no allegation against him save and except that he was also there in the burning of the dead body.

Learned counsel submits that the allegations are false, flimsy and baseless. He lives separate in mess and business and the case was lodged only for extracting some money, later on informant has filed a compromise petition.

Learned counsel for the State has though opposed the prayer for bail of the petitioner but considering the facts and circumstances of the case wherein the petitioner is said to be the cousin brother of the husband of the deceased and there is no specific allegation against him, he has remained in custody since 8.12.2020, he has otherwise no criminal antecedent, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Jehanabad in connection with Huilasganj P.S. Case No. 95 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

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 their 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.

The application stands allowed.

(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'.