

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19106 of 2020**

Arising Out of PS. Case No.-176 Year-2019 Thana- BARURAJ District- Muzaffarpur

Ram Vilas Mahto, son of Late Sona Mahto, resident of Village- Pansalwa,  
Gopinathpur, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate  
For the Opposite Party/s : Mr. Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      27-07-2021                      In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in Baruraj PS Case No. 176 of 2019, instituted for the offence under



Sections 304(B), 201, 120(B)/34 of the Indian Penal Code.

The father-in-law of the victim is the petitioner who is in custody since 16.11.2019. It is submitted that co-accused, namely, Janki Devi who happens to be the mother-in-law of the victim, has been allowed bail, vide order passed in Cr. Misc. No. 1536 of 2020.

The prosecution case in the F.I.R itself shows that the victim's husband was an alcoholic and used to mistreat and beat his wife. Being offended by the continuous misbehavior by the petitioner's son, the instant petitioner, his wife and others have started living separately and has no concern with the affairs of the victim, or her husband. The husband has no concern with the family members, including the instant petitioner which would be evident from the fact that he has since been absconding in this case.

The learned APP representing the State has opposed the prayer for bail.



Considering the rival submissions, 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 the learned Judicial Magistrate, 1<sup>st</sup> Class, Muzaffarpur, in connection with Baruraj PS Case No. 176 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)**

Shageer/-

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