

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36560 of 2020

Arising Out of PS. Case No.-20 Year-2019 Thana- BANIAPUR District- Saran

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PRADEEP KUMAR RAI @ MANGARU RAI Son of Haribansh Raoi
Resident of Village- Pirhoura Pandey Tola, P.S.- Baniyapur, District- Saran at
Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Ms Gulnar Begum, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 20-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Baniyapur Police Station
(for brevity, *PS*) Case No 20 of 2019 instituted for the offence
punishable under Sections 304B/34 of Indian Penal Code (for
brevity, *IPC*).

The petitioner, who happens to be husband of the
victim, has approached this Court for grant of bail.

The prosecution case is that the father of the deceased
has alleged that the victim has been done to death on account of
non-fulfilment of demand of dowry.

Petitioner's counsel submits that the petitioner is in
custody since 27.02.2020. He submits that, after investigation,



charge sheet has been submitted under Sections 306/34 of IPC which belies the allegation of the victim having been done to death. It is in these circumstances that he submits that the petitioner be enlarged on bail.

Learned APP has opposed the prayer for bail. However, she is not in a position to deny the submission inasmuch as the fact that charge sheet has been submitted under Sections 306/34 of IPC.

Considering the rival submissions, prayer for bail is allowed. 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 Additional Sessions Judge XI, Saran at Chapra in Baniyapur PS Case No 20 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.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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