

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.39039 of 2020**

Arising Out of PS. Case No.-124 Year-2020 Thana- SALIMPUR District- Patna

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DEOBRAT SHARMA @ DEO BARAT SHARMA Son of Late Baleshwar
Sharma Resident of Village- Salimpur, P.S.- Salimpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr.Aslam Ansari, APP

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

4 23-07-2021 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 Salimpur P.S. Case No.124/2020 registered for

the offences punishable under Sections 304(B)/34 of the Indian

Penal Code.

The prosecution story in brief is that one Manorama

Devi lodged a fardbeyan on 29.04.2020 at 11.45 am at PMCH

stating therein that she has married her daughter 5-6 years ago

with one Sonu Kumar Singh. It is alleged that thereafter the in-



laws people started demanding C.D. which was given to them. It is further alleged that after some time, her husband and family members started demanding motorcycle and were threatening that if the demand is not fulfilled she will not be allowed to live in the house. It is further alleged that on 28.04.2020 the in-laws people after due conspiracy set her daughter on fire by sprinkling kerosene oil and closed her in a room as a result of which she became badly injured. Thereafter she was taken to PMCH for treatment where she died.

Learned counsel for the petitioner submits that this petitioner is said to be the father-in-law of the deceased and the marriage between his son and the deceased had taken place more than 7 years ago which would be evident from the age of the children born out of the said wedlock. Learned counsel submits that the petitioner is living separately from his son and he has remained in custody in connection with this case since 08.07.2020.

Learned APP for the State is present and 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 father-in-law of the deceased and it is his submission that the marriage between his



son and the deceased had taken place more than 7 years ago which would be evident from the age of the children born out of the said wedlock, the petitioner has remained in custody in connection with this case since 08.07.2020, he claims to have a separate living from his son and the husband of the deceased is said to be in judicial custody, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Barh in connection with Salimpur P.S. Case No.124/2020, 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.

(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'.

