

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1489 of 2021

Arising Out of PS. Case No.-204 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

Deepak Kumar Alias Deepak Raj Son Of Santosh Sao Alias Tilak Sao
Resident Of East Ramkrishna Nagar, Near Gdm Homeopathic College, P.O. -
New Jakkanpura, P.S. - Ramkrishna Nagar, District - Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 14-12-2021 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. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Ramkrishna Nagar P.S. Case No. 204 of 2020 registered for the offence punishable under Section 304(B) of the Indian Penal Code. The petitioner has no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the marriage of the daughter of the informant was solemnized on 07.06.2017 with one Rajiv Kumar. After six months of marriage, the husband, mother-in-law, sister-in-law, brothers-in-law and father-in-law of the daughter of the



informant started demanding money and were torturing the daughter of the informant. It is alleged that on 09.07.2020 the in-laws of his daughter informed him that she has committed suicide by hanging.

Learned counsel for the petitioner submits that the petitioner has been made accused in this case only because he is the younger brother of the husband of the deceased. It is submitted that the petitioner lives separately in mess and business. It is further submitted that another younger brother of the husband of the deceased has already been granted bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 4998 of 2021. The petitioner has no criminal antecedent.

Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the materials placed before this Court showing that this petitioner is the devar being young brother of the husband of the deceased, the accusation against him is general and omnibus and the submission is that the petitioner lives separately in mess and business, the another younger brother who was also implicated in this case has been granted privilege of pre-arrest bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 4998 of 2021, this Court directs that the petitioner above named in the event of his arrest or surrender within four weeks from today



be released on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty Five Thousand/-) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XIII-cum-A.C.J.M., Patna in connection with Ramkrishna Nagar P.S. Case No. 204 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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.

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'.

