

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6324 of 2021**

Arising Out of PS. Case No.-964 Year-2019 Thana- DANAPUR District- Patna

Shiv Janam Rai @ Shiv Janam Ray Son of Late Ramchandrar Bhagat @ Late
Ramchandrar Ray Resident of Village - Neuri, P.S.- Bihta, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

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

4 03-08-2021 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 Danapur P.S. Case No. 964/2019 registered for the offences punishable under Section 302 and 201 of the Indian Penal Code.

As per the prosecution story, while the informant was on patrolling duty at Tempo Stand Danapur he got secret information that the dead body of a lady was found near the bank of Ganga, he reached at the place and found the dead body. A ligature mark was there on the neck of the lady, thereafter the informant recovered the dead body of the lady and sent the same for post-mortem at Sub-Divisional Hospital, Danapur.

Learned counsel for the petitioner submits that

petitioner has been falsely implicated in this case, petitioner is the father-in-law of the deceased and he has remained in custody in connection with this case since 04.01.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that this petitioner is the father-in-law of the deceased, he has remained in custody for more than one and half year in connection with this case and co-accused have been granted bail by learned coordinate Bench of this Court in Cr. Misc. No. 10097/2021, learned coordinate Bench has granted interim protection to the husband in Cr. Misc. No. 8794/2021, investigation against him is complete but the trial is not likely to take place in near future, this court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Danapur, in connection with Danapur P.S. Case No. 964/2019, 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)

Rajeev/-

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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'.