

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5930 of 2021

Arising Out of PS. Case No.-13 Year-2019 Thana- BHIMPUR District- Supaul

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RAVEN SAH SON OF VISHNUDEO SAH RESIDENT OF VILLAGE-
THUTHI PS -BHIMPUR DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 17-08-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with S.T. No. 107 of 2020, arising out of Bhimpur P.S. Case No. 13 of 2019 registered under Sections 306 and 34 of the Indian Penal Code.

FIR alleges that the accused persons (seven in



number) have assaulted the informant's daughter. She thereafter has committed suicide.

Learned counsel for the petitioner submits that no injury has been found on the victim who has died due to poisoning. This itself falsifies the allegation regarding assault by the petitioner. In fact the petitioner was working at Nepal and in his absence the deceased has developed illicit relationship with someone else and in view of the awkward situation it appears that she has committed suicide. The petitioner is stated to be in custody since 31.1.2020.

Case diary had earlier been called for. On going through the same, the learned APP is not in a position to deny the material that has come regarding illicit relation of the victim. Also that no injury has been found on the victim.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge- Vth, Supaul/Incharge Successor Court in



S.T. No. 107 of 2020, arising out of Bhimpur P.S. Case No. 13 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)

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