

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8721 of 2021**

Arising Out of PS. Case No.-42 Year-2020 Thana- JURAWANPUR District- Vaishali

KUNJA RAI @ GUNJA RAI Son of Late Danghar Rai Resident of Village -
Hajpura, P.S. - Jurawanpur, District - Vaishali (Hajipur).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Din Bandhu Mishra

For the Opposite Party/s : Mr.Anant Kumar 1, APP

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

4 05-08-2021 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. Anant Kumar 1, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Jurawanpur P.S. Case No. 42 of 2020 for the offences registered under Section 304(B), 201 & 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, the marriage of the informant's daughter was solemnized with Randhir rai. Thereafter, the husband of the deceased along with her in-laws started torturing her for non-fulfillment of demand of the Bullet motorcycle. On 9.5.2020 the informant was

informed that her daughter has been killed by the husband of the deceased and this petitioner and her dead body has been thrown into the river.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that he is father-in-law aged about 75 years of the deceased and is residing separately in mess and business from that of the husband of the deceased. The petitioner is in custody since 17.10.2020 having no criminal antecedent.

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

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that in course of investigation it has come in supervision note of the Dy. S.P. that this petitioner is residing separately in mess and business from that of the husband of the deceased, the petitioner is said to be the father-in-law aged about 75 years and he is in custody in connection with the present case since 17.10.2020 and the husband of the deceased in custody since 17.12.2020, the petitioner is said to be suffering from several chronic diseases, this Court directs release of the petitioner on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Vaishali at Hazipur in connection with Jurawanpur P.S. Case

No. 42 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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.

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'.