

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3299 of 2022

Arising Out of PS. Case No.-30 Year-2018 Thana- MORKAHI District- Khagaria

RAMANAND PRASAD SINGH @ RAMANAND SINGH S/o Late
Chaturanand Prasad Singh Resident of Village- Sabalpur, P.S.- Morkahi,
District- Khagaria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 23-05-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Morkahi P.S. Case No. 30 of 2018, registered for the
offences punishable under Sections 323, 354, 376, 406, 420, 494, 506
of the Indian Penal Code.

The complainant claiming himself to be the son of the
present petitioner on the basis of DNA test, has lodged the complaint
petition against the petitioner under Section 376 of the IPC with
allegation that 29 years prior to lodging of the complaint petition, the
petitioner committed rape with his mother.

Learned counsel for the petitioner has submitted that it



may be a case of consensual co-habitation and no criminal liability attributed. Not the mother of the complainant but he himself has lodged the case. The petitioner is in custody since 21.09.2021.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Khagaria in connection with Morkahi P.S. Case No. 30 of 2018, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself/herself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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