

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39384 of 2021

Arising Out of PS. Case No.-601 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

RAMBADAN SINGH S/O LATE YADU NANDAN SINGH R/O
MOHALLA-POKHARIYA, WARD NO.39, PS-BEGUSARAI TOWN,
DISTRICT-BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s	:	Mr. Surendra Kishore Thakur, Advocate
For State	:	Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 13.02.2021, seeks
regular bail in connection with Begusarai Town P.S. Case No.
601 of 2020 registered for offences punishable under Sections
498(A), 323, 304(B), 302 and 120(B)/34 of the Indian Penal
Code.

Prosecution case, in brief, is that the accused persons
named in the F.I.R., including the petitioner, committed torture
and assault due to non-fulfillment of demand dowry and on the



fateful day, as per the Postmortem report, the victim died due to throttling.

Learned counsel on behalf of the petitioner submits that the petitioner is an old man, aged about 81 years, which would appear from the cause title of the application. He further submits that other similarly situated co-accused persons have already been enlarged on bail. Petitioner has clean antecedent and he is in custody since 13.02.2021.

Learned counsel appearing on behalf of the informant along with learned A.P.P., has vehemently opposed the prayer for grant of bail to the petitioner.

Having considered the fact that the petitioner is 81 years old and other similarly situated co-accused persons have already been enlarged on bail as well as there is no allegation of tampering the evidence or influencing the witnesses and there is no likelihood of trial being concluded in near future, the petitioner above named is directed to be enlarged on bail upon furnishing bail bond of Rs. 100,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai in connection with Begusarai Town P.S. Case No. 601 of 2020 subject to the following conditions:



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

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