

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33046 of 2022

Arising Out of PS. Case No.-355 Year-2021 Thana- AKBARPUR District- Nawada

RAMRUP CHOUDHARY @ RAMSWRUP CHOUDHARY @ RUPLAL
CHOUDHARY @ NETA JEE S/o Mahngu Choudhary R/o village- Nad, P.S.-
Akbarpur, District- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-09-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing in view of the COVID 19.

Let the defect(s), if any, as pointed out by the office be
removed within four weeks.

The petitioner is in judicial custody in connection with
Akbarpur P.S. Case No. 355 of 2021 for the offences under Sections
498(A), 326/34 of the Indian Penal Code.

As per the FIR, the informant has alleged that his sister
was married to one Angrez Chowdhury 15 years ago and from the
wedlock, the couple had three children. On 28.05.2021, the sister of
the informant gave information that she has been set ablaze by
pouring kerosene oil. He rushed to her in-laws place and thereafter
took her sister to Sadar Hospital from where she was referred to
Patna and thereafter she is being treated at Nawada Private Hospital.
The further allegation is that the accused persons including this



petitioner used to demand Rs. 50,000/- and used to threaten that if they fail to fulfill the demand, she will face dire consequences.

Learned counsel for the petitioner submits that without going into the merit of the case and/or the allegation in the FIR being her in-laws, it is his bounden duty to make payment for her treatment and intends to pay a sum of Rs. 50,000/- through bank draft issued by the State Bank of India local branch in favour of the lady namely, Rita Devi and/or cash if she do not have bank account.

So far as the allegation is concerned, he submits that he is father-in-law, had no role to play and it was out of tiff with her husband, who resides at Jodhpur that she tried to immolate herself. His last submission is that the petitioner is in custody since 20.12.2021 (as stated in paragraph-12 of the bail application).

Considering the aforesaid facts as also that the petitioner is in custody since 20.12.2021, charge sheet stands submitted and ultimately he has to face the trial, this Court is inclined to grant him privilege of bail subject to the payment of Rs. 50,000/- through bank draft issued by the State Bank of India local branch in favour of the lady namely Rita Devi or by cash to be paid through learned Trial Court who shall ascertain her *bona fide* through government documents (i.e. Aadhar Card and voter I.D. card).

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate,



Nawadah in connection with Akbarpur P.S. Case NO. 355 of 2021,
subject to the following conditions:-

(i) he shall pay Rs. 50,000/- to the injured through Trial
Court;

(ii) one of the bailor should be the family member of
the petitioner, who shall provide official document to show his/her
bona fide;

(iii) the petitioner shall appear on each and every date
before the Trial Court and failure to do so for two consecutive dates
without plausible reasons will entail his cancellation of bail by the
Trial Court itself;

(iv) he shall in no way try to induce or promise or
threat the witnesses or tamper with the evidence, failing which the
State shall be at liberty to take steps for cancellation of his bail
bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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