

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42424 of 2021

Arising Out of PS. Case No.-350 Year-2021 Thana- MANER District- Patna

Sudama Rai S/O Late Bhatai Rai R/o- Haldi Chhapra, P.S.- Maner, District- Patna

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2022 Due to the third wave of COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and the State through virtual mode.

The petitioner is apprehending his arrest in Maner P.S. Case No. 350 of 2021 registered under Sections-304B, 201 of the Indian Penal Code.

Allegation against the accused persons including the petitioner is of committing torture and causing death of the



victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is cousin father-in-law (Fufa of husband) of the deceased. He is separate in mess and property from husband of the deceased. He has got no concern with the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his



personal bond to the satisfaction of Sushri Nutan Kumari, learned Judicial Magistrate-Ist Class, Danapur in connection with Maner P.S. Case No. 350 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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