

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34308 of 2022**

Arising Out of PS. Case No.-545 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

Ram Ekwai Rai @ Ram Ekbal Rai Son of Late Janak Rai Resident of Village
- Kharka, P.s.- Runnisaaidpur, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate.

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

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 12-09-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard Mr. Shankar Kumar, learned counsel for the petitioner and Mr. Ajit Kumar, learned APP for the State.

Petitioner seeks regular bail in connection with Runnisaaidpur P.S. case no. 545 of 2020 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

As per the main allegation, this petitioner and co-accused always tortured the deceased for the demand of a motorcycle and finally they committed dowry death of the deceased on account of their demand of motorcycle having not been fulfilled by the victim.

The main submissions advanced by Mr. Shankar Ku-



mar, learned counsel for the petitioner are that the petitioner happens to be father-in-law of the deceased and he is 72 years old as it reflects from the order of learned Court below and marriage of the deceased took place about 5 years ago and two children have born out of the wedlock and alleged demand of motorcycle was not concerned with the petitioner and against him there is no specific allegation.

Mr. Ajit Kumar, learned APP has opposed the prayer for bail.

In view of the above submissions and mainly taking into account the facts that the petitioner is stated to be father-in-law of the deceased and against him there is no specific allegation in the FIR and he is stated to be 72 years old person and languishing in jail since 17.10.2021, in my view a lenient approach can be taken in respect of petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Runnisaidpur P.S. case No. 545 of 2020 on the following conditions:-

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



below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the Court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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