

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56731 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- PHULWARIYA District- Gopalganj

Parasuram Sah @ Parasuram Gupta S/o Late Bhim Sah Resident of Village-
Karariya Thakurai, P.S.- Fulwariya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devanand Tiwari, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the petitioner, above named, for grant of regular bail to the petitioner who has been made accused and put behind the bars in connection with Fulwariay P. S. Case No. 76 of 2021 registered for the offences punishable under Section 304(B) and 34 of the Indian Penal Code.

The prosecution case as alleged in the F.I.R. is that the daughter of the informant was married with co-accused Rajesh Gupta in the year 2010 and thereafter, she was subjected to torture by all the co-accused persons. It is also alleged that demand of Rs. 50,000/- was made and ultimately she was done to death.



It has been submitted by the learned counsel for the petitioner that the petitioner happens to be father-in-law, aged about 75 years. It is further submitted that there is specific allegation against the husband of the deceased that he was a man of bad character and it is he who killed the deceased.

On the other hand, learned APP for the State fairly submits that the petitioner is aged about 75 years and there is only general and omnibus allegations against this petitioner.

Learned counsel for the petitioner at this juncture submitted that the mother-in-law of the deceased has already been granted bail by co-ordinate bench of this Hon'ble Court in Cr. Misc. No. 56517 of 2021 vide order dated 21.03.2022. A copy of which has been kept on record.

Having considered the rival submissions and taking into consideration the fact that the petitioner is father-in-law of the deceased and he is in custody since 12.05.2021 and there is specific allegation against the husband of the deceased, the petitioner has no criminal antecedent, let this petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Fulwariay P. S. Case



No. 76 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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