

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47924 of 2022**

Arising Out of PS. Case No.-155 Year-2022 Thana- JOKIHAT District- Araria

Kanak Lal Biswas S/o Late Soti Lal Biswas Resident of Village- Tekani, P.s.-
Jokihatk, (Mahalgaon), District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the
defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr. Tarun
Prasad Mandal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Jokihat (Mahalgao) P.S. Case No. 155/2022
registered for the offences punishable under Section 304B of the
Indian Penal Code. He is in custody since 30.03.2022 having no
criminal antecedent.

As per the prosecution story, the informant alleged
that marriage of his daughter was held with Bablu Kumar
Biswas two years ago, after few days thereafter the husband of
the daughter of the informant was demanded one motorcycle
and two lakhs otherwise she will be killed. She was assaulted



regularly. On 28.02.2022, in the night, named six accused persons killed the daughter of the informant after throttling her and fled away after closing the room from outside. On information received from the villagers, the informant reached there and took the dead body of his daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that this petitioner is said to be the father-in-law of the deceased, however he is in custody since 30.03.2022.

Mr. Tarun Prasad Mandal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein this petitioner is said to be the father-in-law of the deceased, the submission of the petitioner in the application being that as a matter of fact the husband of the deceased was in Delhi from much earlier and this petitioner is an old person who is suffering from old age ailments and is unable to perform his daily routine himself, he is languishing in jail since 30.03.2022, the post-mortem report does not reveal any definite cause of death, in the circumstances since investigation is complete, this



Court directs release of the petitioner above-named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, in connection with Jokihat (Mahalgao) P.S. Case No. 155/2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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