

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44840 of 2023

Arising Out of PS. Case No.-524 Year-2020 Thana- HARSIDHI District- East Champaran

Ranjeet Prasad, S/O Jagdeo Bhagat R/O Village- Dudahi, Ward No. 14, P.S-
Harsidhi, Distt.- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 302, 201/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
earlier the petitioner had moved for anticipatory bail by filing
Cr. Misc. No.24330 of 2022, but the same came to be rejected
by order dated 09.11.2022 on the ground that if the death of
Reena Devi was natural, then the petitioner, who is her husband,
would have procured her death certificate.

4. The learned counsel next submits that since the
death certificate was not there at the time of filing of the
anticipatory bail application, as such, the same was not annexed.



It is next submitted that thereafter, petitioner again moved by filing the present Criminal Miscellaneous seeking anticipatory bail on the ground that the death certificate has been issued by the Department of Planning and Development, Gram Panchayat, Yadopur.

5. In view of the specific pleadings and submissions made by the petitioner along with the death certificate, this Court had directed to seek instruction from the District Magistrate, East Champaran at Motihari as to whether Annexure-3, which is the death certificate of Reena Devi has been issued by the Department of Planning and Development, Gram Panchayat, Yadopur or not by order dated 19.07.2023.

6. In compliance of the order dated 19.07.2023, a counter-affidavit has been filed on behalf of the District Magistrate, East Champaran at Motihari wherein it has been specifically pleaded that the death certificate of Reena Devi has been issued by the Office of Gram Panchayat, Yadopur.

7. The learned counsel for the petitioner submits that the death of Reena Devi was natural. Her family members also participated in the cremation and since they were aware that the death of Reena Devi was natural, as such, no case came to be instituted, but then, the present F.I.R. was instituted at the



instance of Chaukidar.

8. Learned A.P.P. fairly submits that in the counter-affidavit, it has been specifically pleaded at Para-3 that the death certificate of Reena Devi has been issued by the Office of Gram Panchayat, Yadopur.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Harsidhi P. S. Case No.524 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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