

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39094 of 2024

Arising Out of PS. Case No.-572 Year-2022 Thana- FATUA District- Patna

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RANJIT PRASAD @ RANJIT KUMAR SON OF MUNNI SINGH
RESIDENT OF VILLAGE - NASIRPUR BALWA, POLICE STATION -
FATUHA, DISTRICT – PATNA Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 10-01-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Sessions Trial No. 256 of 2023 arising out of Fatuha P.S. Case No. 572 of 2022 for the offences punishable under Sections 302/34 of the Indian Penal Code lodged on 10.08.2022 by the informant, Ram Surat Prasad

3. As per the prosecution story, the allegation is that the informant had married his daughter in the year 2014, but she was tortured for dowry. In between, a child also was born out of the said wedlock but on the fateful day, allegation is that they killed his daughter and absconded. The dead body was later brought to Fatuha for funeral, followed by the FIR.

4. Learned counsel for the petitioner that submits that daughter of the informant was the patient of epilepsy and on the date of occurrence, while on the roof, attack took place, she fell



down, taken for the treatment but succumbed to her injuries. He further submits that the trial is on, in which the informant has been examined. According to him, the lady was suffering from illness, it was an accident and the assault theory has not come to his light. It is further submitted that the petitioner having no criminal antecedent is in custody since 22.08.2022 (para-14) of the petition.

5. Learned APP opposes the prayer stating that the petitioner could not bring on record any document to show that the lady was suffering from epilepsy.

6. Having gone through the facts of the case and submissions put forward by the parties and in the changed circumstance where the informant has taken a different route in his deposition before the trial court, the petitioner is not having criminal antecedent, is in custody since 22.08.2022, has given an undertaking that he will be appearing diligently in the trial, taking his period of custody, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge, Patna City, Patna in connection



aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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