



2022:JHHC:34424

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 8002 of 2022

Prashant Kumar @ Prashant Kumar Agrawal Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. Binod Kumar Dubey, Advocate
For the State : Mr. Manoj Kumar Mishra, A.P.P.

03/ 10.10.2022 Heard learned counsel for the applicant and learned A.P.P. for the State.

This bail application has been filed on behalf of the applicant-Prashant Kumar @ Prashant Kumar Agrawal with prayer to release on bail in connection with Chatra Sadar P.S. Case No. 11 of 2022, registered under Sections 302/201/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Chatra.

Learned counsel for the applicant has submitted that the F.I.R. of this case was lodged against five named accused including the applicant with these allegations that the daughter of the informant was married with Prashant Kumar @ Prashant Kumar Agrawal in the year 2017 and one baby was also born one and half years ago out of the wedlock of the two and further daughter of the informant was pregnant of 2 to 3 months. All the named accused were bent upon to abort the second child in the womb of her and for the same daughter of the informant was not agree. She was beaten by the accused persons. Ultimately daughter of the informant died.

Learned Counsel for the applicant has submitted that the allegations made in the F.I.R. against all the accused is general and omnibus. Indeed, the deceased was admitted to the District Hospital Chatra on 08.01.2022 and she was prescribed medicine. Thereafter she was referred for the treatment to the higher centre. Ultimately, on 09.01.2022 she was declared dead. Deceased was also covid positive. No post-mortem was conducted and she was cremated by her husband and the applicant has been languishing in Jail since 11.01.2022.

Learned A.P.P. appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicant and contended that no post-mortem was conducted of the deceased to ascertain the cause of death and it also came in the case diary that the alleged certificate of covid was fake.

In view of the submissions made and materials on record, the bail application of the applicant is hereby allowed. Let the applicant be released on bail on furnishing bail bond of Rs.30,000/-(Rupees Thirty Thousand) with two sureties of the like amount to the satisfaction of the court concerned in aforesaid case.

(Subhash Chand, J.)