

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33435 of 2013

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Ramesh Kumar S/O Late Fudan Sah Resident of Village- Dhabhaich, P.S.-
Tisauta, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur with Mr.Amit
Kumar, Advocates

For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 24-12-2013 Heard learned counsel for the petitioner and learned
Additional P.P. for the State.

The petitioner prays for anticipatory bail in a case under
Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. in which the allegation is
against the three brothers and their respective wives of having
killed his wife. It is submitted that it is not even stated in the F.I.R.
that he was present in the house at the time when the occurrence
had taken place and further it has also come during the course of
investigation that the petitioner earns his livelihood by selling
fruits in Delhi. It is further submitted by learned counsel that eight
months after the alleged occurrence all on a sudden a witness has



turned up to make allegation against the petitioner but even the said witness does not talk about the participation of the petitioner in the murder of his wife, rather has only alleged that the petitioner was also present in the house at the time when the occurrence took place. It is also submitted by learned counsel that three of the Gotnis of the wife of the petitioner, who have been named in the F.I.R. and alleged to have taken active part in the commission of the crime, have been granted anticipatory bail by order dated 6.11.2012 of this Court passed in Cr.Misc.No.40264 of 2012.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner Ramesh Kumar, in the event of his arrest or surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Tisaut P.S.Case No.52/12 to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur subject to the other conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

spal/-