

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39869 of 2014

Arising Out of PS.Case No. -244 Year- 2014 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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Rajendra Ram @ Rajendra @ Ram @ Rajesdr Son of Mahavir Ram @
Mahir Ram Resident of Village - Jitwarpur Dih, Police Station- Samastipur
(Mufassil), District - Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rana Sanjay Kumar Singh

For the Opposite Party : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 22-05-2015 Heard both sides.

The informant is the 'Bhabhi' of the deceased. The deceased was married to Jitendra Ram about 13 years ago. She heard a rumour that the deceased was done to death in the matrimonial home. It is alleged that she rushed to the village only to find that the body was being set on fire. Amongst other, the petitioner was also seen at the ghat'. Accordingly, Samastipur Muffassil P.S. case no. 244 of 2014 under Sections 302 and 201/34 of the IPC was lodged.

Contention of the petitioner is that he is not closely related to the family of the deceased. It has come in evidence that he resides separately from his brother since last 12-13 years ago.

His presence at the burning 'ghat' is natural. Even if that is accepted a case under Section 201/34 IPC would be made out. He has no criminal antecedent.

Considering the fact that the petitioner is not the close family member of the deceased and other factor evidencing from the record, I am inclined to grant the petitioner the privilege of anticipatory bail. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Samastipur in connection with Samastipur (Mufassil) P.S. case no. 244 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family members of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s)



fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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