

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49803 of 2015

Arising Out of PS.Case No. -81 Year- 2015 Thana -TEKARI District- GAYA

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Santosh Sao @ Santosh Kumar Gupta son of Late Tetar Sao, resident of
Mohalla Rikabganj, Khachiya Road, P.S. Tekari, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Adv

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 05-11-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-304(B), 201/34 of the Indian Penal Code, this Court having found that the petitioner only is Brother-in-Law (Bhaisur) of the deceased and that co-accused persons namely, Mantu Kumar and Deepa Devi, have been granted anticipatory bail vide order dated 09.07.2015 in Criminal Miscellaneous No. 23987 of 2015 and co-accused persons Sunita Devi and Sanni Kumar have also been granted anticipatory bail vide order dated 11.08.2015 in Criminal Miscellaneous No.



33059 of 2015 and Narayan Prasad Gupta being the husband of the deceased is already in custody, this Court would be inclined to grant the privilege of anticipatory bail to the petitioner.

That being so, if the petitioner namely, **Santosh Sao** surrenders within a period of four weeks from today, he would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **Judicial Magistrate, 1st Class, Gaya** in connection with **Tekari P.S. Case No. 81 of 2015**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that they will inform the Court concerned

if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Ranjan/-
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(Mihir Kumar Jha, J)