

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43833 of 2014

Arising out of PS.Case No. -189 Year- 2010 Thana -ARARIA District- ARARIA

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Saquib @ Rahbar @ Istiyaque S/O Ainul Haque Resident of Village- Denga
(Sangora), P.S.- Palasi, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Abhay Kumar Rai, APP

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 04-02-2015 Heard learned counsel for the parties as with regard to the

prayer of the petitioner made in connection with an offence under

Sections 304B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
petitioner is the brother-in-law of the deceased and the husband of the
victim lady is still in custody. He has also submitted that the petitioner
has got only one more criminal case pending against him and he is in
custody since 07.12.2013.

Considering all these aspects, this Court would direct the
petitioner, namely Saquib @ Rahbar @ Istiyaque to be released on bail
on furnishing bail bond of Rs. 10,000/- with two sureties of the like
amount each to the satisfaction of the learned Chief Judicial Magistrate,
Araria in connection with Araria (Madanpur) P.S.Case No. 189 of
2010, G.R. No. 817 of 2010, subject to the following conditions:

(i) That both of the bailors will be a close relative of the



petitioner, who will undertake 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 bailors 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.

(Mihir Kumar Jha, J)

Sujit/-

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