

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42092 of 2016

Arising Out of PS.Case No. -149 Year- 2016 Thana -RUNISAIDPUR District- SITAMARHI

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Gopal Baitha Son of Raj Mangal Baitha, Resident of Village + P.O.-
Thurma, P.S.- Runnisaidpur, District- Sitamarhi. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mallika Mazumdar, Advocate

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 17-10-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Runni Saidpur P.S. Case No. 149 of 2016, disclosing offences
under Sections 302 and 201 of the Indian Penal Code.

The petitioner is the husband of the deceased. It is
alleged that the deceased was found dead on a railway track. It is
alleged that the petitioner is instrumental in her killing.

Learned counsel appearing on behalf of the petitioner
has submitted that the deceased died in a train accident for which
the petitioner has been paid compensation also. She has further
submitted that the informant, after having realized the correct state
of affairs has filed an application in the court of learned Chief
Judicial Magistrate, Sitamarhi to this effect. It has also been
submitted that if granted privilege of anticipatory bail, there is no

chance that the petitioner will be fleeing from the course of investigation or trial.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Runni Saidpur P.S. Case No. 149 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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