

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58349 of 2017

Arising Out of PS.Case No. -28 Year- 2015 Thana -UJJIYARPUR District- SAMASTIPUR

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1. Baleshwar Rai, S/o Pokhan Rai, R/o Village- Mahisari, P.S.- Ujiarpur,
Distt- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ujjiarpur P.S. Case
No. 28 of 2015 instituted for the offence under Sections-302,
201/34 of the Indian Penal Code.

It has been submitted that the petitioner is the father of
the first husband of the deceased. He has no concern either with
first husband Pramod Rai or second husband Vikash Kumar and
living separately with all of them. It has been submitted that
mother and father of the second husband of the deceased have
already been granted anticipatory bail by a coordinate bench of
this court vide order dated 23-09-2015 passed in Cr. Misc. No.
26893 of 2015.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the



event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Ujjiarpur P.S. Case No. 28 of 2015 to the satisfaction of learned Additional Chief Judicial Magistrate-III, Dalsingsarai, Samastipur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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