

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2832 of 2017

Arising Out of PS.Case No. -131 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Rajesh Kumar @ Praveen Kumar @ Rajesh Thakur, son of Nagendra Thakur, Resident of Village- Nainha (Milki), P.S.- Hajipur Sadar, Dist- Vaishali. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 12-04-2017 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking bail in connection with S.T. No. 133 of 2016, arising from Hajipur Sadar P.S. Case No. 131 of 2015 registered for offences under sections 326, 304B/34 of the Indian Penal Code.

This Court has called a status report as well as the case diary. From perusal of the status report it appears that till the preparation of the status report by the Sessions Judge, Vaishali at Hajipur, none of witnesses have been examined. This Court has perused the case diary from where it appears that the victim while cooking the food, was caught with the fire and the present petitioner was found tried to put off the fire. The victim was brought to the P.M.C.H. where she died.

The counsel for the petitioner submits that the



petitioner also received burn injury, he was being treated in P.M.C.H. whereupon after the death of the victim, he has gone along with his father-in-law and the present petitioner was arrested by lodging the present case. The petitioner is in custody since 21.03.2015.

Considering the aforesaid facts, circumstances and period of custody, the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Sessions Judge, Vaishali at Hajipur in S.T. No. 133 of 2016, arising from Hajipur Sadar P.S. Case No. 131 of 2015, subject to the following conditions:-

- (i) One of the bailors shall be a close relative of the petitioner.
- (ii) If the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and
- (iii) The petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds of the petitioner.

(Shivaji Pandey, J)

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