

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46251 of 2018

Arising Out of PS.Case No. -161 Year- 2017 Thana -FATUHA District- PATNA

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1. Janak Rai son of Late Sudhan Yadav @ Sudhan Rai @ Late Sudhan Singh, resident of Village- Murajpur, P.S. Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Dhananjaya Nath Tiwari
Miss. Preety Kunwar

For the State : Mr. U.L. Verma, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 21-08-2018 Heard learned Senior Counsel for the petitioner and learned Additional Public Prosecutor for the State. Learned counsel for the informant is also present.

The petitioner being the father-in-law has been in custody since 12.06.2018 in connection with Fatuha P.S. Case No. 161/2017 registered for the offences punishable under Sections 304-B of the Indian Penal Code.

Learned Senior Counsel for the petitioner submits that there is no specific allegation against the present petitioner as father-in-law and the main accused has since been extended the privilege of bail by this Court in a Criminal Writ Application. Learned Senior Counsel further submits that the petitioner is willing and ready to co-operate in investigation and trial which shall ensue thereafter and he may be extended the privilege of bail.



Learned counsel appearing on behalf of the informant submits that there is ample material in the case diary and therefore, the case diary may be called for. He, however, refers to the case diary which is available with him, but it appears from the statement of the witnesses to which he has pointed out, that even such independent witness has not supported the case against the present petitioner.

In view of the aforementioned facts and circumstances and that the petitioner is willing to abide by the terms and conditions laid down by this Court, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna City, Patna, in connection with Fatuha P.S. Case No. 161/2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient



reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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