

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 739 of 2018

Arising Out of PS.Case No. -95 Year- 2016 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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Surendra Patel S/o Vijay Patel, R/o Village- Thakraha, P.S.- Thakraha,
District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Randhir Kumar No-1, Advocate

For the State : Mr Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 12-01-2018

Heard counsel for the petitioner and the State.

Petitioner seeks bail in a case registered under
Sections 302, 201 of Indian Penal Code.

It is submitted by the petitioner that the first
information discloses that there is a single blow upon the wife of
the informant who happens to be the petitioner's *Bhabhi* in a rage
on 18.06.2016 where after she was treated at the Hospital. It is
only on the next day that is 19.06.2016, she again fell ill when she
was taken to the Hospital by the petitioner himself for treatment.
It is submitted that the petitioner is in custody since 20.09.2017
and that no case would be made out for the offences under which
the first information report has been lodged. It is further
submitted that from the first information report, it is apparent that



cremation was done on 19.06.2016 itself. It is submitted that during investigation, no cogent evidence has come against the petitioner and that even after framing of charges on 08.06.2017, no evidence has been led in the case.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II, Bagaha, West Champaran in Thakraha Police Station Case No 95 of 2016 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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