

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45951 of 2018

Arising Out of PS.Case No. -332 Year- 2018 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Upendra Bind, S/o Late Nagina Bind @ Late Ram Nagina Bind, Resident of
Village- Gorhan, P.S.- Bhabua, District- Kaimur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner, being the *Dewar* of the deceased lady, is in custody since 28.05.2018 in connection with Bhabua P.S. Case No.332 of 2018 registered for the offence under Sections 302 and 201 of Indian Penal Code.

Learned counsel for the petitioner submits that the deceased lady had alleged that her husband is said to have having illicit relationship with his *Bhabhi*. It is thus submitted that *Dewar*, being the younger brother of the husband of the deceased lady, had no role to play in the alleged occurrence and no insinuation/allegation has been attributed against him in the F.I.R., save and except that he also belongs to the family, wherein the deceased lady, who had been married only one year prior to the alleged date of occurrence, was allegedly killed.



Considering the nature of allegation made and that the present petitioner has two more cases against him, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kaimur at Bhabua, in connection with Bhabua P.S. Case No.332 of 2018, subject to the following conditions:

(1) One of the bailors will be the close relative of the petitioner.

(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 his 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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