

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1873 of 2019

Arising Out of PS. Case No.-310 Year-2018 Thana- GARDANIBAG District-
Patna

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Rajeev Kumar @ Rajeev Raj son of Sanjay Kumar @ Sanjay Yadav, resident of Village- Archit, Daultpur, P.S. Ghosi, District- Jehanabad, at present resident of Shivpuri, Chitkohra, P.S. Phulwarisharif, Dist- Patna tenant in the house of Doman Rai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ramakant Sharan, Sr. Advocate. Mr. Rakesh Kumar Sharma, Advocate
For the State	:	APP
For the informant	:	Mr. Awadhesh Kumar Pandey Mrs. Priya Gupta, Advocates.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498A, 302 and 120(B)/34 of the Indian Penal Code registered in connection with Gardanibagh P.S. Case No. 310 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the accusations against the petitioner, whose relationship with the deceased is rather remote as he happens to be the son of the sister of the husband of the victim, are highly improbable. The parents of the petitioners, Sanjay Kumar and Asha Devi have been granted bail by this Court. No specific



accusation has been made against the petitioner and his name has merely been added in the F.I.R. in a general and omnibus manner. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing *suo motu* opposes the anticipatory bail petition.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub Judge XIV cum Additional Chief Judicial Magistrate, Patna in connection with Gardanibagh P.S. Case No. 310 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate 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.

(iv) 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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