

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.899 of 2019

Arising Out of PS. Case No.-63 Year-2018 Thana- GARKHA District- Saran

=====

Arun Rai Son of Naresh Rai Resident of Village- Mahamda Mangal Tola, P.S.
Garkha, District Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr.Sri Ajay Kumar-1

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 21-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Garkha P.S. Case No. 63 of 2018 registered for
the offence punishable under Section 302/34 of the Indian Penal
Code.

Informant has alleged in her written complaint that
petitioner alongwith other co-accused took her husband on
Motorcycle to Chapra and he did not return till night. Thereafter
she came to know in the morning that her husband has been
lying in injured condition near four lane on account of assault
and police has taken him to Sadar Hospital, Chapra, for
treatment. She went to Sadar Hospital, Chapra, along with her
family members and found her husband lying dead. There was



sign of injuries of cut mark of sharp cutting weapons on his neck and other parts of the body. The informant has raised suspicion that petitioners have committed murder of husband of the informant on account of transaction of money. It is further alleged that four days prior to the occurrence her husband had gone to the house of Arun Rai (petitioner) for demanding Rs.50,000/- which was due on him. Thereafter, all the accused persons had come to her house to assault the deceased.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on suspicion. There is no allegation of any specific overt act against the petitioner. It has been further submitted that similarly placed co-accused, namely, Naresh Rai and Udit Kumar Rai have been granted bail by this Hon'ble Court as contained in Annexure-1. Petitioner has no criminal antecedent and he is in custody since 19.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saran at Chapra, in connection with Garkha P.S. Case No. 63 of 2018 subject to the conditions that:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

