

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30833 of 2019**

Arising Out of PS. Case No.-198 Year-2018 Thana- AWTARNAGAR District- Saran

BINOD RAI @ BINOD KUMAR RAI Son of Moti Rai Resident of Village-
Haraji Pokhar, P.S.- Awatarnagar, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

3 05-08-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302, 201/34 of the Indian Penal Code registered in connection with Awatarnagar P.S. Case No. 198/2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the husband of the deceased. As a matter of fact the deceased died in a Railway accident. There was cordial relationship between the petitioner and the deceased and there was no complaint whatsoever in the past since the parties were married about 10-11 years ago and out of which two children were born. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard. No objective material has been pointed out from the case diary against the petitioner.

5. Be that as it may, 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 CJM, Saran at Chapra, in connection with Awatarnagar P.S. Case No.



198/2018, 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. That 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.
- 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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