

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31485 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- BARURAJ District- Muzaffarpur

SURESH SAH S/O Khela Sah Resident of village- Naya Tola, Thikha, P.S.-
Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

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

2. The petitioner apprehends his arrest for the offences alleged under Sections 304(B), 120(B)/34 of the Indian Penal Code registered in connection with Baruraj P.S. Case No. 14/2019.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the father-in-law of the deceased. It is submitted that the petitioner was living separately from the deceased and her husband and has no concern with their day-to-day matters. The accusations are general and omnibus and no specific overt act has been alleged against the petitioner. Information about the death of the informant's daughter was given to the informant's side by the husband of the deceased and as such the accusations are improbable. Co-accused Rajni Devi and Rakhi Devi @ Rakhi Kumari @ Arti Kumari have been granted anticipatory bail by this Court in Cr. Misc. No. 24256 of 2019. The petitioner claims clean antecedents.

4. Learned APP has not pointed out any objective materials 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 Ms. Priti Kumari, learned J.M. Ist Class, Muzaffarpur in connection with Baruraj P.S. Case No. 14/2019, 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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