

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65250 of 2018

Arising Out of PS. Case No.-247 Year-2012 Thana- SHEKHPURA District-Sheikhpura

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Shashi Bhushan Prasad Son of Sri Shiv Nandan Prasad Resident of Village-Dewley, P.S. Sheikhpura, Distt.-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagandeo Yadav
Mr.Ravi Prakash, Advocates

For the Opposite Party/s Mr.J.K.Singh,APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302, 201/34 IPC registered in connection with Sheikhpura P.S. Case No. 247 of 2012.

3. It is submitted that the petitioner being the husband of the victim lady has been falsely implicated and in any event charge sheet has been submitted against the petitioner only in respect of Section 201 IPC.

4. A perusal of para 15 of the case diary discloses that Ajay Kumar, the brother of the petitioner has stated that he was present at the time of cremation. It is further stated that the deceased was undergoing treatment for mental problems at Central Institute of Psychiatry, Kanke, Ranchi. The petitioner claims clean antecedents.

5. Be that as it may, having regard to the entirety of the facts and circumstances, 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 Judicial Magistrate Ist, Sheikhpura in connection with Sheikhpura P.S. Case No. 247 of 2012, 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 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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