

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43396 of 2019

Arising Out of PS. Case No.-108 Year-2017 Thana- RIVILGANJ District- Saran

SURENDRA RAI S/o Rajendra Rai R/o village- Senger Tola, P.S.- Rivil
Ganj, Distt.- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocat

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is the elder brother of the husband of the deceased in the present case is seeking anticipatory bail in connection with Rivil Ganj P.S. Case No. 108 of 2017 registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that apart from the fact that this petitioner lives separate in mess and business from the family of the husband, in course of investigation it has come that the victim lady died due to some disease.

Learned APP for the State has also gone through the case diary and he has read out the statements made therein, however, no specific materials have been brought to the notice



of the Court to take a view as against this petitioner that he has active involvement in the alleged offence. The husband of the deceased has already been granted privilege of regular bail by a learned co-ordinate Bench of this Court in Cr. Misc. No.4910 of 2019.

In the given facts and circumstances of the case, considering the relationship of the petitioner with the family of the deceased and other materials which have come in the case diary, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Rivil Ganj P.S. Case No. 108 of 2017 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 8th, Saran at Chapra, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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