

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59364 of 2019

Arising Out of PS. Case No.-189 Year-2019 Thana- CHANDI District- Nalanda

AWADHESH SAO Son of Late Munshi Sao Resident of Village - Lalganj,
P.S.- Chandi, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 16-11-2019 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), 201/34 of the Indian Penal Code and Sections 3 and 4 of the D.P. Act registered in connection with Chandi P.S. Case No. 189/2019.

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 as a matter of fact the deceased died after falling from the roof in an accidental death. It is submitted that the accusations are general and omnibus in nature. Similarly situated co-accused Sarswati Devi, mother-in-law and Pankaj Kumar, brother-in-law of the deceased have been granted anticipatory bail by this Court in Cr. Misc. No. 56377 of 2019 and Cr. Misc. No. 67318 of 2019, respectively. The husband of the deceased Vikash Kumar has since been granted regular bail by this Court in Cr. Misc. No. 67677 of 2019. The petitioner claims clean antecedents except Chandi P.S. Case No.29/2011 in which he has been made an accused.



4. 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 ACJM, Hilsa, Nalanda, in connection with Chandi P.S. Case No. 189/2019, 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)

Chandran/-

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