

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64245 of 2018

Arising Out of PS. Case No.-302 Year-2014 Thana- MADHUBAN District-
East Champaran

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Bijali Singh Son of Late Bishun Singh Resident of Village-Nayka Tola
Krishna Nagar, P.S. Madhuban, Distt.-East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 03-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 302/34 of the Indian Penal Code
registered in connection with Madhuban P.S. Case No. 302 of
2014.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion and there is no eye witness to the
said occurrence. Similarly situated co-accused Pawan Rai,
Ramashankar Rai and Santosh Rai @ Santosh Kumar Yadav have
been granted anticipatory bail by this Court in Cr. Misc. No.
43598 of 2015 and Cr. Misc. No. 57373 of 2015 respectively. The
petitioner claims clean antecedents.

4. Learned APP refers to the case diary to oppose the
anticipatory bail petition.

5. Be that as it may, having regard to the entirety of the
facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in connection with Madhuban P.S. Case No. 302 of 2014, 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 cooperate 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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