

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82687 of 2019

Arising Out of PS. Case No.-305 Year-2019 Thana- BANKA District- Banka

Halo Ray @ Haleshwar Ray @ Halo, male aged about 35 years S/o Late Bhago Ray @ Late Bhagwat Ray Resident of Village- Khiddi, P.O. Bijay Hat, P.S.- Barahat, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 12-12-2019 Heard learned counsel for the parties.

The petitioner seeks bail in Banka (Barahat) P.S. Case No. 305 of 2019 registered for the offence under Sections 302, 34 of the Indian Penal Code.

In the FIR, the informant has alleged that his son solemnised marriage with one Mamta Devi about 15 years ago and since then, he (deceased) used to live with his in-laws family members. It is further alleged that on 12-05-2019, he got an information that his son was murdered by his wife with the help of her one of the relative i.e. petitioner.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case only on the basis of suspicion and there is no eye-witness to the said occurrence. It is further submitted that no incriminating article has been collected during course of investigation showing complicity of



the petitioner in the aforesaid crime. Save and except suspicion, there is nothing against the petitioner. In this case, chargesheet has also been submitted and as such, there is no chance of tampering with the evidence against the petitioner and petitioner is in custody since 16-09-2019, having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka (Barahat) P.S. Case No. 305 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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