

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2033 of 2020

Arising Out of PS. Case No.-140 Year-2018 Thana- BAUNSI District- Banka

Mukesh Kumar @ Mukesh Rai Son of Congress Rai Resident of Village -
Amgachi, P.S. - Bounsi, District - Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirbhay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Bounsi P.S.**
Case No. 140 of 2018 (G.R No. 1864/2018), registered for the
offence punishable under Sections 302, 328 and 34 of the Indian
Penal Code.

The informant alleged that his daughter-in-law
Pramila Devi, is a lady of questionable character and due to this
fact, his son and daughter-in-law used to quarrel. It is further
alleged that Pramila Devi called her husband to her *Mika*. On
31.05.2018, Pramila Devi along with her family members killed
her husband (Informant's son) by administering poison to him
and thrown his dead-body near the house of the informant.

It is submitted that petitioner has falsely been



implicated in this case. Petitioner is brother of wife of the deceased. In para 18,19 and 20 of the case diary, it has come that the deceased himself consumed poison, as a result of which he died. Other co-accused have been granted anticipatory bail by a coordinate Bench of this court vide order dated 13.03.2019 passed in Cr. Misc. No. 5338 of 2019. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned **Chief Judicial Magistrate, Banka** in connection with **Bounsi P.S. Case No. 140 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

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

(Prabhat Kumar Singh, J)

vinita/-

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