

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 7308 of 2020

Arising Out of PS. Case No.-136 Year-2019 Thana- RAJAOLI District- Nawada

RAHUL KUMAR Son of late Om Prakash Sao Resident of Village - Rajauli,
Nichli Bazar, P.S.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Lilawati Singh, Advocate

For the Opposite Party/s : Ms Pushpa Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 03-07-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for State.

Petitioner apprehends arrest in connection with Rajauli Police Station (for brevity, *PS*) Case No 136 of 2019 dated 19.04.2019 instituted for the offence punishable under Section(s) 304B/34 of Indian Penal Code.



The first information report alleges that informant's sister was married to accused Uday Saw in April, 2018. There is allegation that Uday Saw was repeatedly taking money from the in-laws and had also demanded Rs 2 lacs to enable him to establish a shop in Bengal. On 19.04.2019, Uday Saw intimated the informant that his wife (sister of informant) has died by hanging herself.

Learned counsel for the petitioner submits that the instant petitioner is Devar (brother-in-law). Along with the Devar, the entire family/relatives of the husband have been named in the last portion of the FIR, though there is no allegation on any of them. The petitioner has been named only on suspicion. It is further submitted that the petitioner has no criminal antecedent and that he has no relationship with the deceased and her husband as he is separate in mess and business.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawada in connection with Rajauli PS Case No 136 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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