

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18175 of 2021

Arising Out of PS. Case No.-81 Year-2020 Thana- SALIMPUR District- Patna

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Bijendra Rai, Son of Yogi Rai, Resident of Village-Kala Diyara, P.S. -
Salimpur, District - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-10-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Salimpur P.S. Case No.81 of 2020 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

Informant has alleged that in-laws, including the
petitioner (*Baisur*), have killed his daughter in the matrimonial
home. The motive has been stated to be the fact that they had
taken a loan of Rs.1,70,000/- and they have killed her daughter
so that the loan amount would not have to be repaid.

Counsel for the petitioner submits that the
allegations are far-fetched and highly improbable. The petitioner
being *Bhaisur* has been separate in his establishment to that of
the family of the deceased. The husband and the deceased were



residing separately since 2008. The petitioner is in custody since 26.06.2020 and has no criminal antecedents. Co-accused Yogi Rai and Shanti Devi have been allowed bail in Cr.Misc. No.32117 of 2021, vide order dated 23.07.2021.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released 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 court of Karunanidhi Pd. Arya, learned J.M. 1st Class, Barh, Patna, in connection with Salimpur P.S. Case No.81 of 2020, subject to 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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