

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27844 of 2025

Arising Out of PS. Case No.-60 Year-2019 Thana- NADI P.S. District- Patna

Subhash Rai @ Subhash Kumar S/o- Gulab Singh Village- Kasara Ps-
Didarganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, APP

For the Opposite Party/s : Mr. Jitendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 29-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Nadi P.S. Case No. 60 of 2019 for the offence under Sections 302 and 34 of the I.P.C. lodged on 10.03.2019 by the informant, Saraswati Devi.

3. As per the prosecution story, the informant who is wife of the deceased found her husband dead with towel surrounding his neck. She raised the alarm which followed the FIR in which the petitioner was named as he was seen escaping from the place.

4. Learned counsel for the petitioner submits that no one has seen the actual occurrence, only on suspicion that he is having relationship with the informant, got implicated. Further submission is that he has no criminal antecedent and is in



custody since 18.11.2024.

5. Learned APP opposes the prayer submitting that as per the case diary, alleged occurrence took place only because of his illicit relationship with the deceased's wife and opposition by the deceased.

6. In this case, Trial Court report was called for which has now come vide an order 01.08.2025 according to which cognizance has been taken on 27.01.2025 and summons have been issued.

7. Considering the submission of the parties as also the fact that there is no eye-witness to the occurrence, on suspicion, this petitioner has been apprehended, is in custody since 18.11.2024 having no criminal antecedent and undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the 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 J.M. 1st Class, Patna City, Patna in connection with Nadi P.S. Case No. 60 of 2019 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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