

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75177 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- MAHNAR District- Vaishali

Laxman Rai Son of Hemlal Rai Village- Baghnocha, Police Station- Mahnar.
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-01-2025 Heard Mr. Sanjay Kumar @ S.K., learned counsel
for the petitioner and Mr. Anil Kumar learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Mahanar P.S. Case No. 118 of 2024, F.I.R. dated 23.04.2024 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons have killed the informant's sister.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that due to some altercation had taken place



between the deceased and the petitioner the petitioner has committed suicide herself. Further submits that postmortem report of the deceased also supports that she has committed suicide herself.

5. Learned APP for the State, on the other hand, has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

6. Considering the facts and circumstances of the case and the fact that the petitioner is the husband of the deceased and the postmortem report suggests that she has committed suicide herself, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Mahanar P.S. Case No. 118 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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