

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34559 of 2015

Arising Out of PS.Case No. -279 Year- 2014 Thana -DARIYAPUR District- SARAN

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1. Dablu Rai son of Kedar Rai resident of village - Dharmnagar, Police Station - Dariyapur, District - Chapra, Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ashfaque Ahmad

For the Opposite Party/s : Mr. Smt.Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner, learned
A.P.P. for the State as well as learned counsel for the informant.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

Petitioner is not named in the F.I.R. During the course of investigation, relatives of the deceased disclosed that they came to know that the deceased was found at a shop with the petitioner and one person who had covered his face with Muffler.

It is submitted that except suspicion, no cogent evidence is collected during the course of investigation. Similarly situated co-accused Krishna Kumar Rai has already been granted anticipatory bail by order dated 07.10.2015 vide Criminal Misc.

No. 28902 of 2015. Case of the petitioner stands on the same footing.

On the other hand, learned counsel for the informant as well as learned A.P.P. submitted that the petitioner was seen with the deceased but on perusal of the case diary it appears that only one witness, namely, Mukesh Kumar disclosed that he saw the petitioner with the deceased at the shop of Panna Lal but the dead body was found in a wheat field.

Considering the facts aforesaid, the above named petitioner, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall 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, Saran at Chapra in connection with Dariyapur P.S. Case No. 279 of 2014 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

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