

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56076 of 2015

Arising Out of PS.Case No. -249 Year- 2013 Thana -SAHEBGANJ District- MUZAFFARPUR

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Sunil Das @ Sunil, son of Rajbalak Das, resident of Village-Belkanti-Dharhara, P.S.-Sahebganj, District-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sharma

For the Opposite Party/s : Mr. Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2015

Petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections 363, 367/34 of the Indian Penal Code.

The prosecution case is that on 02.10.2013 at about 8:00 a.m the informant along with her husband were standing at the door, in the meantime, petitioner and one Biku Paswan came on a motorcycle and asked the husband of the informant to accompany them as Lagan Paswan is calling him. Thereafter the husband of the informant did not return.

It is submitted by learned counsel for the petitioner that thrust of accusation is against co-accused Lagan Paswan. Lagan Paswan was put on trial and has been acquitted vide judgment dated 24th of March, 2015 passed in Sessions Trial No. 224 of 2014 by learned Additional Sessions Judge-III, Muzaffarpur. The said judgment has been brought on record as Annexure-3.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West, Muzaffarpur in connection with Sahebganj P.S. Case No. 249 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Learned Court below will be at liberty to cancel the bail bonds of the petitioner, if the petitioner defaults for three consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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