

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41218 of 2014

Arising Out of PS.Case No. -19 Year- 2013 Thana -THAKURGANJ District- KISANGANJ

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1. Dukha S/o Zahid @ Panta Khuwa
2. Jasruddin @ Kalkut S/o Lal Mohamad Both Resident of Amal Jhari, P.S.
Pathamari, District - Kishanganj

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kr. Sinha
Mr. Diwakar Sinha

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-03-2015 Heard Sri Pankaj Kumar Sinha, learned counsel, who was assisted by Sri Diwakar Sinha, learned counsel for petitioners and learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Thakurganj (Pathamari) P.S. Case No. 19 of 2013 registered for the offence under Sections 302, 201/34 of the Indian Penal Code, have prayed for grant of anticipatory bail.

Learned counsel for petitioners submits that from the F.I.R. itself, it is evident that none has witnessed the occurrence, however; the informant has named two persons as accused in the F.I.R. It has been argued that one of the F.I.R. named accused persons namely Zahid @ Pantakhua has already been extended the privilege of anticipatory bail on 21-04-2014, vide Cr. Misc. No. 24052 of 2013. It has also been argued that one other accused

person, who was not named in the F.I.R. i.e. Abid has been granted anticipatory bail on 20-02-2014, vide Cr. Misc. No. 37685 of 2013 and one another accused namely Sunny Khowa has been granted anticipatory bail on 22-04-2014, vide Cr. Misc. No. 39522 of 2013. It has been argued that only on suspicion, petitioners have been implicated in the present case.

In view of the facts and circumstances, particularly; the fact that number of other accused persons, including one of the F.I.R. named accused, have already been extended the privilege of anticipatory bail, there is no reason to deny the prayer of petitioners.

Accordingly, in the event of arrest/surrender of both the aforesaid petitioners namely Dukha and Jasruddin @ Kalkut within a period of eight weeks from today, they shall be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Thakurganj (Pathamari) P.S. Case No. 19 of 2013 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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