

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2368 of 2015



Arising Out of PS.Case No. -3080 Year- 2008 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Sanjay Kumar Trivedi @ Sanjay Trivedi Son of Bisuni Trivedi Resident of
vill-Matlupur,P.S-Pear,Distt.-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. S.D.Singh Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 20-01-2015

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending arrest in a
complaint case in which processes have been directed to be issued
after cognizance being taken for the offences punishable under
Sections 302 /34 of the Indian Penal Code and 27 of the Arms
Act.

It is alleged that the husband of the
complainant came out from the room and then five accused
persons including the petitioner were asking whereabouts of the

son of the complainant Anil Thakur and on non-giving of the informant they shot the husband of the complainant and thereafter they went to the house of the brother of the husband of the complainant and hurled explosive.

It is submitted by learned counsel for the petitioner that the accusation was found false and final form was submitted but on protest the cognizance has been taken and during enquiry the complainant has specifically stated that her husband was killed by Parmanand. It is further submitted that the deceased received only one gun shot injury.

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

Considering the fact that accusation was found false during investigation and during S.A. the complainant admitted that the injury to the victim was caused by Parmanand, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Muzaffarpur in connection with Complaint Case No. 3080 of 2008, Tr. No. 4228 of 2014, subject to the conditions as laid

down under Section 438(2) of the Cr.P.C.

The learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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