

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47032 of 2016

Arising Out of PS.Case No. -173 Year- 2014 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Sanjay Prasad S/o Harishankar Sah resident of Madhuban Gandhi Chowk,
P.S. - Madhuban Distt- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 01-12-2016 Heard the counsel for the petitioner and Mr. M. Dayal,

APP for the State.

The petitioner prays for anticipatory bail in Madhuban
P.S. Case No. 173 of 2014 registered under Section 302/34 of the
Indian Penal Code.

According to the FIR, six named accused(s) persons
brutally assaulted the brother of the informant which caused his
death. The petitioner is not named in the FIR. Subsequently, the
police found a different case for the death of informant's brother.
According to the case, subsequently developed, one Lalan Rai
was driving the motorcycle owned by the petitioner and hit the
victim which ultimately caused his death.



Contention of the petitioner is that in both situations, the petitioner is not directly involved in the commission of crime. He is a respectable businessman having no criminal antecedent.

Mr. Dayal looking to the case diary has not disputed the said contention.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of J.M. 1st Class, Sikrahana, East Champaran at Motihari in Madhuban P.S. Case No. 173 of 2014 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that one of the bailors shall be his own/close family member. The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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