

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28783 of 2016

Arising Out of PS.Case No. -146 Year- 2010 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Surendra Pandit Son of Late Ramashish Pandit Resident of village - Ahmedpur, P.S. Sarairanjan, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-09-2016

Heard both sides.

The petitioner apprehends his arrest in Sarairanjan P.S. case No. 146 of 2010, corresponding to Sessions Trial No. 170 of 2011, under Section 302, 201/34 of the Indian Penal Code.

The petitioner was named in the FIR. The petitioner filed anticipatory bail petition bearing Cr. Misc. No. 35366 of 2011 in this court but during the pendency of the anticipatory bail petition the police submitted final form finding the case false against the petitioner. Consequently, the anticipatory bail petition was dismissed as withdrawn but during the course of trial, on the evidence of prosecution witnesses, the petitioner was summoned to face trial under Section 319 of the Cr. P. C.

It appears that name of the petitioner figured in the

case on the basis of suspicion and on the basis of same suspicion, although police submitted final form finding the case false, but the petitioner has been summoned under Section 319 of the Cr. P. C.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 Additional Sessions Judge-IV, Samastipur in Sarairanjan P.S. Case No. 146 of 2010, corresponding to Sessions Trial No. 170 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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