

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28800 of 2016

Arising Out of PS.Case No. -24 Year- 2015 Thana -BELCHHI District- PATNA

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Badu Mahto, son of Ishwar Prasad Singh @ Ishwar Singh, Resident of
village- Korari, P.S.- Belchhi, District- Patna. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Jeetendra Narayan, Advocate

For the Opposite Party : Mr. Sanjay Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

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28-09-2016

Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State.

Petitioner is apprehending his arrest in connection
with Belchhi P.S. Case No. 24 of 2015 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that father
of the informant had gone missing and informant had been moving
around in the village in search of his father, who did not return
home till late night. It is further submitted that several villagers
had been contacted by the informant and his younger brother on
the night of the day of occurrence. Therefore, the story that the
hands and feet were tied and their mouths gagged near the Mandir,
was wholly concocted and cannot be sustained as it has surfaced in
the case diary and that no such occurrence ever took place. He
further submits that one other similarly situated co-accused person
namely, Kushu Ram @ Kaushlendra Kumar has already been

granted anticipatory bail by this Court in Cr. Misc. No. 4975 of 2016 vide order dated 18.03.2016 and another co-accused namely, Umesh Mahto has also been extended similar benefit in Cr. Misc. No. 54867 of 2015 vide order dated 11.01.2016, the petitioner being also one of the co-accused persons may thus also be extended the privileges of anticipatory bail as other co-accused persons.

Considering all the facts and circumstances of the case and nature of allegation made and that other similarly situated persons have been extended the privileges of anticipatory bail, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Belchhi P.S. Case No. 24 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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