

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45930 of 2016

Arising Out of PS.Case No. -141 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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Brahmdeo Ram, son of late Akal Ram, resident of Village-Dhibha, P.S.-
Chhatapur, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 01-12-2016

Heard Sri Prafull Chandra Thakur, learned counsel

for the petitioner and Sri Sanjay Kumar Sharma, learned Addl.

Public Prosecutor.

The sole petitioner has prayed for grant of anticipatory bail in Chhatapur P.S. Case No.141/2016 registered for the offence under Sections 363, 365, 366 of the Indian Penal Code.

It was submitted by learned counsel for the petitioner that the petitioner has been made accused in the F.I.R. only on suspicion. Save and except suspicion, even till date during investigation, no cogent material has been collected to show involvement of the petitioner.

Learned Addl. Public Prosecutor, by way of



referring to paragraph-52 of the case diary, submits that during investigation, it appears that some of the villagers had stated regarding involvement of the petitioner. However, he was not in a position to satisfy the court from the case diary as to whether any cogent material has been collected against the petitioner save and except suspicion.

In view of the fact that the petitioner has been made accused only on suspicion, there is no reason to deny the prayer for anticipatory bail. Accordingly, let the petitioner, namely, Brahmdeo Ram, in the event of his arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-II, Supaul in connection with Chhatapur P.S. Case No.141/2016 with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) during investigation, as and when required by the Investigating Officer, he will appear and render full co-operation. It is made clear that if during investigation sufficient material is collected against the petitioner and he is forwarded as accused in the chargesheet, in that event his bail bond executed in the present case shall stand automatically cancelled and the petitioner will have to surrender before the court



below and make a prayer for regular bail

(Rakesh Kumar, J)

NKS/-

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