

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1441 of 2016

Arising Out of PS.Case No. -66 Year- 2013 Thana -SAHODARA District-
WESTCHAMPARAN(BETTIAH)

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Dharmendra Kumar Rahi, aged about 28 Years, S/o- Awadh Kishore Prasad, R/o Village+ P.O.- Doeya, P.S- Noorsarai, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ambuj Kumar Chandra
For the Opposite Party/s : Mr. Atul Chandra (App)
Mr. Mukesh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 16-02-2016 Heard Sri Ambuj Kumar Chandra, learned counsel for the petitioner, learned Addl. Public Prosecutor as well as Sri Mukesh Kumar, learned counsel who has voluntarily appeared on behalf of informant.

The petitioner, apprehends his arrest in Sahodra P.S. Case no. 66 of 2013 registered for the offence under Sections 302/379 and 34 of the Indian Penal Code, has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner that on perusal of the F.I.R., it is evident that only on suspicion the petitioner has been made accused. He further submits that during investigation till date no material has been collected to implicate

the petitioner, whereas Sri Mukesh Kumar, learned counsel for the informant has vehemently opposed the prayer of the petitioner and submits that post mortem examination report suggests that it was a case of murder.

I have also perused the post-mortem examination report annexed with the case diary.

In view of the facts and circumstances, the Court is of the opinion that the petitioner can be extended the privilege of anticipatory bail till the investigation is continuing.

Accordingly, let the petitioner namely Dharmendra Kumar Rahi be enlarged on bail in the event of his arrest or surrender within a period of six weeks from today on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Sahodra P.S. Case No. 66 of 2013 subject to condition as laid down under Section 438 (2) of the Cr.P.C. with a condition that he will render full cooperation during the investigation. It is further made clear that if after investigation, the case is found true against the petitioner and chargesheet is submitted, his bail-bond shall stand automatically cancelled and the petitioner shall appear before the court below and make a prayer for regular bail.

With above condition, the petition stands allowed.

(Rakesh Kumar, J.)

