

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33872 of 2016

Arising Out of PS.Case No. -66 Year- 2005 Thana -BARAULI District- GOPALGANJ

Mithilesh Pathak S/o late Shri Bacchu Pathak, Resident of Village- Mogal Biraicha, P.S.- Barauli, Distt.- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Kumar Kaushik, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 28-10-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner being the Bhaisur of the victim lady is apprehending his arrest in connection with Barauli P.S. Case No. 66 of 2005 registered for the offences punishable under Sections 304B/34 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though an application for anticipatory bail had been earlier rejected by this Court, the present petitioner is renewing his prayer for anticipatory bail under change circumstances as vide judgment and order dated 01.04.2008, husband of the victim lady has been acquitted in connection with the present case in Sessions Trial No. 364 of 2006 / 322 of 2006 by the court of Learned Addl. Sessions

Judge, FTC-Vth, Gopalganj. It is thus submitted that the petitioner may be extended the privilege of anticipatory bail.

Having heard learned counsel for the petitioner and taking into consideration the fact that the main accused in the present case has been acquitted after full-fledged trial, 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 learned Chief Judicial Magistrate, Gopalganj in connection with Barauli P.S. Case No. 66 of 2005, subject to the conditions as laid down under Section 438(2) of the Cr.P.C

(Anjana Mishra, J.)

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