

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25362 of 2016

Arising Out of PS.Case No. -306 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

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Anil Das @ Anil Kumar Das, son of Vishwanath Das, resident of Village Sakara Bajid, P.S. Sakra, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Thakur and
Mr. Nilesh Kumar, Advocates.

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-08-2016

Heard both sides.

The petitioner apprehends his arrest in Sakra P.S. Case No. 306 of 2015 registered under Sections 302/34 of the Indian Penal Code.

The petitioner is named in the FIR. The informant alleged that the petitioner and others opened a clinic jointly with his wife Chanchala Devi. The informant suspected that the petitioner and others in order to grab money of partnership killed his wife. It is submitted that the informant is not an eye witness of the occurrence. There is no other eye witness. On mere suspicion, the name of the petitioner is mentioned in the FIR along with Birendra Mahto and others. Similarly situated co-accused Birendra Mahto and Raju Kumar @ Raju Mahto have already been granted anticipatory bail vide order passed in Cr. Misc. No. 56137/2015.

Learned A.P.P. submits that the dead body of the wife of the informant was found in the clinic but there is no eye witness of the occurrence. Save and except suspicion, the police has not collected any further evidence.

Considering the fact that the case of the petitioner stands on similar footing as that of Birendra Mahto and Raju Mahto, who have already been enlarged on anticipatory bail, 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 Chief Judicial Magistrate-cum-Sub Judge IV, Muzaffarpur in Sakra P.S. Case No. 306/2015, 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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