

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14595 of 2016

Arising Out of PS.Case No. -801 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Sant Kumar Rao @ Guddu Rao Son of Hari Narayan Rao Resident of
Gandhi Hostel , Ward no. 32, Nauranga Bag, Betia, PS Betiah town, District
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Sahay Jamuar

For the Opposite Party/s : Md Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 21-04-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out
of Bettia Town Police Station Case No. 801 of 2015, disclosing
offences under Sections 307, 326 and 302 of the Indian Penal
Code.

Learned Counsel appearing on behalf of the petitioner
has submitted that there is specific description of manner of
occurrence in the First Information Report, according to which,
the F.I.R. named accused Banti Singh had assaulted the deceased
with dagger repeatedly, leading to his death. He has submitted that
the petitioner is not named in the First Information Report and in

course of investigation, he has been maliciously roped in the case because he is the maternal uncle of said Banti Singh.

Considering the fact that in the First Information Report, there is direct allegation against co-accused Banti Singh and there is no allegation against this petitioner, this application is allowed.

Let the petitioner, Sant Kumar Rao @ Guddu Rao, in the event of his arrest or surrender before the Court below within six weeks, 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 Chief Judicial Magistrate, Bettia, West Champaran, in connection with Bettia Town Police Station Case No. 801 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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