

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5949 of 2016

Arising Out of PS.Case No. -20 Year- 2012 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

1. Jharilal Mahto Son of Late Ram Bilas Mahto, Resident of Village -
Parigama Tole - Jogiya, P.S. - Pupri, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Ganga Prasad Raut, Son of Late Sone Lal Raut, Resident of Village -
Choraut (East Tola), P.S. - Pupri, District - Sitamarhi.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Rajendra Pd.Nut(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 02-05-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of C-1/20 of 2012 (arising out of Pupri Police
Station Case No. 174 of 2010), disclosing offence under
Section 302/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that
the police, after completion of investigation of Pupri Police
Station Case No. 174 of 2010, had submitted final report,
finding the petitioner and other accused persons not
involved in the commission of offence.

Learned Counsel for the petitioner has



submitted that the learned Sub Divisional Judicial Magistrate, Pupri, at Sitamarhi, has taken cognizance on the basis of complaint -cum- protest petition, filed by the informant. He has further submitted that similarly situated co-accused persons have been granted anticipatory bail by this Court, vide orders, dated 27.01.2016 and 19.01.2016, passed in Criminal Misc. Nos. 3859 of 2016 and 2839 of 2016 respectively.

Considering the submission that similarly situated co-accused persons have been granted anticipatory bail and the police had submitted final report, exonerating the petitioner, this application is allowed.

Let the petitioner, Jharilal Mahto, 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 Sub Divisional Judicial Magistrate, Pupri, at Sitamarhi, in connection with C-1/20 of 2012 (arising out of Pupri Police Station Case No. 174 of 2010), 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.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)