IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3968 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -MUSRIGHARARI District- SAMASTIPUR

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Durga Mahto @ Durga Kumar Mahto, son of Sri Mantun Mahto, resident of village- Rupauli Bujurg, P.S.- Musrigharari, District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhay Shankar Singh
For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 03-03-2017 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Musrigharari P.S. Case No. 78 of 2016 for the offence punishable under section 302/34 of the I.P.C.

The petitioner is Devar of the deceased. Accusation is that the husband and other in-laws including the petitioner killed the deceased after roping in her neck.

Submission is that in this case the informant after realizing the truth has filed compromise petition stating regarding innocence of the petitioner and others, father-in-law and mother-in-law have already been allowed pre-arrest bail vide Cr. Misc.

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No. 1817 of 2017 and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that now the informant is retracting from his earlier version.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. A.C.J.M.-IV, Samastipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

Abhay/-

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