

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33121 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -PIRO District- BHOJPUR

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Md. Mubarak Ansari, Son of Abdul Shahid Ansari, Resident of Village-
Jagdishpur Khapatahan, P.S. Jagdishpur, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Ataul Haque, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Piro P.S. Case No.
107 of 2017 instituted for the offence under Sections 302, 120(B) and
34 of the Indian Penal Code.

In the First Information Report, it is alleged that the
informant got information that his brother has been murdered and his
dead body was lying near Canal (*Nahar*).

It has been submitted on behalf of the petitioner that mere
suspicion has been raised against him as he is first husband of the wife
of the deceased. It has further been submitted that since the petitioner
was the first husband of Jaida Begam, the suspicion has been raised
against him.

Case diary has been received.

Learned A.P.P. has submitted that mere suspicion has



been raised against this petitioner. This petitioner has already given divorce to Jaida Begam, and after divorce the said Jaida Begam has married with the deceased.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Piro P.S. Case No. 107 of 2017, he shall be released on anticipatory 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, Bhojpur, Ara, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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