

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44527 of 2016

Arising Out of PS.Case No. -229 Year- 2015 Thana -LAXMIPUR District- JAMUI

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1. Sakaldev @ Sakaldeo Das son of Arjun Das, Resident of Village-
Chanbariya, P.S. Laxmipur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 09-01-2017 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Laxmipur Police Station Case No. 229 of 2015 registered for the
offences punishable under Sections 147, 324, 364A, 307, 379 of
the Indian Penal Code and 27 of the Arms Act.

Petitioner is not named in the first information report
but from perusal of Para-86 of the case diary, it appears that the
name of petitioner was disclosed by co-accused Prem Kumar Das
highlighting the manner in which the alleged occurrence took
place.

Submission on behalf of the petitioner is that only on
the basis of confessional statement of the aforesaid co-accused,



police implicated the petitioner in the present case. Moreover, aforesaid co-accused Prem Kumar Das having similar allegation as well as similar material has already been admitted to anticipatory bail by a co-ordinate Bench of this Court vide order dated 16.11.2016 passed in Cr. Misc. No. 33276 of 2016.

Admittedly, petitioner is not named in the first information report and except the aforesaid confessional statement, up till now nothing has come against him. Moreover, it is apparent that up till now, petitioner has not been put on T.I.P while the present case has been lodged against the named as well as unknown persons.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st class, Jamui in Laxmipur Police Station Case no. 229 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C and further subject to the condition that petitioner shall cooperate the investigating officer during course of



investigation and if in T.I.P., the informant succeeds to identify the petitioner, the petitioner shall surrender before the court below and shall make prayer for regular bail, which shall be considered by the concerned court on its own merit without being prejudiced by this order.

(Hemant Kumar Srivastava, J)

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