

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37856 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Md. Shakil @ Sakil Ahmad @ Md. Sakil son of Late Md. Ayub, Resident
of Village- Murgiya Tola, P.S.- Ramgarwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the informant : Mr. Madhurendra Kumar, Advocate.

For the Opposite Party/s : Smt Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 06-10-2017

Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends his arrest in Ramgarhwa
P.S. Case No. 73 of 2017 instituted for the offence under Sections
302, 120(B) of the Indian Penal Code, Sections 25(1-b)a, 26, 27
and 35 of the Arms Act.

It is alleged by the informant that the accused persons
including the petitioner after hatching conspiracy killed his father.
It is further alleged that the motive behind the occurrence is that
prior to six months of the alleged occurrence, the accused persons
murdered the uncle of the informant for which Ramgharwa P.S.
Case No. 124 of 2016 was lodged and the accused persons were
pressurizing the father of the informant for compromise in that



case.

It has been submitted on behalf of the petitioner that mere suspicion has been raised against this petitioner. He has no criminal antecedent.

Learned counsel for the informant has appeared and submitted that it is a cold blooded murder by slitting neck of the father of the informant.

The learned A.P.P. has after looking into the case diary submitted that no specific overt act has been alleged against this petitioner.

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 Ramgarhwa P.S. Case No. 73 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 Sub Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari,, 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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