

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45090 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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Baidnath Sah, S/o Late Bhola Sah, Resident of Village-Sahtha Niyamatpur,
P.S.- Bhagwanpur, District-Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Sinha, Advocate

For the Opposite Party : Mr. Kumar Virendra Narayan(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Bhagwanpur
P.S. Case No. 29 of 2016 instituted for the offence under Sections
364, 302, 201/34 of the Indian Penal Code.

The allegation against this petitioner is that he along
with other accused as named in the written report had taken away
the brother of the informant while he was returning from police
station where his wife had filed another case, alleging certain overt
act against the accused persons. It is further alleged that while they
were returning from police station, the accused persons threatened
and picked up the brother of the informant and took him away in
vehicle. The dead body has been found near Railway Station,



Rajendra Nagar Terminal, Patna. Accordingly, U.D. case was registered by Station Master and information was sent to Mukhiya of the village on 03.02.2016, from whom the informant also got information. Thereafter informant on receiving information came to Patna on 03.02.2016 and he found the dead body of his brother. It has been submitted on behalf of the petitioner that except the allegation of last seen, there is no any overt act against this petitioner. The U.D. Case was earlier registered on 03.02.2016. Informant has lodged the case after delay of two days due to land dispute. It has further been submitted that other co-accused has already been granted anticipatory bail by Co-ordinate Bench of this Court vide Cr. Misc. No. 23860 of 2016 dated 11.08.2016.

The learned A.P.P has submitted that he has perused the case diary and it has come in case diary that there was land dispute between the parties and there is allegation against this petitioner of last seen. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bhagwanpur P.S. Case No. 29 of 2016, 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 Additional Chief Judicial Magistrate-III,
Vaishali at Hajipur, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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