

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2762 of 2017

Arising Out of PS.Case No. -247 Year- 2012 Thana -PATRAKARNAGAR District- PATNA

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Baleshwar Mahto son of late Budhan Mahto, r/o village- Kalyanpur, P.S.-
Bibhutipur, District- Samastipur Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Sri Dilip Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 31-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Patrakar Nagar P.S. Case No. 247 of 2012 registered for the
offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

At the very outset, it is submitted that in this case the
Police after completing investigation submitted final form and not
sent up the petitioner and other co-accused but the learned
Magistrate after differing with the view of the Investigating
Officer took cognizance, resulting, the petitioner is apprehending
his arrest or custody after his surrender and as such the petitioner
deserves sympathetic consideration to which the learned APP
fairly submits that against the petitioner final form was submitted.

In the facts and circumstances stated above, the petitioner



above named, in case of his surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Patrakar Nagar P.S. Case No. 247 of 2012, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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