

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53109 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Dr. Kanhaiya Singh, Son of Mahesh Singh, Resident of Vill.- Tumba, P.S.
Amjhore, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 29-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Nauhatta P.S.**

Case No. 48 of 2017 instituted for the offence under Sections 302, 201
and 34 of the Indian Penal Code.

The written report has been filed by the Chowkidar stating
therein that he heard that an unknown dead body is lying in the forest in
the village. The informant went to the place of occurrence on receiving
information and found one semi burnt dead body of male. The body
could not be identified.

The counsel for the petitioner has submitted that in the
case diary the name of this petitioner has come in confessional
statement of co-accused Ramawati.

Learned A.P.P. has submitted that post mortem report is
available in the case diary which shows that 80 per cent burnt injury



was found on the dead body of the deceased.

Learned A.P.P. has submitted that in paragraphs 20 and 21 of the case diary, mere suspicion has been raised 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 **Nauhatta P.S. Case No. 48 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, Rohtas at Sasaram**, 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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