

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55868 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -KAMTAUL District- DARBHANGA

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Dhiraj Kumar Jha @ Dhiraj Jha, son of Ramesh Kumar Jha, Resident of
Village- Fatehabad, P.O.- Senduwari, P.S.- Hajipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Md. Imteyaz Ahmad, Advocate.
Mr. Malay Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017

Heard learned counsel for the petitioner and the State.

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

Case No. 28 of 2017 instituted for the offence under Section 302
of the Indian Penal Code.

It has been submitted that First Information Report is
against unknown.

In the written report it is alleged that police got
information that a dead body of unknown person is lying beside
Hariharpur Malpatti Road, The police party reached to the place of
occurrence, and subsequently, the dead body was identified by
brother of the deceased.

During investigation, it has come that the deceased



was going to supply 279 packets of Refine Dhara oil to the party from the vehicle and he was murdered by some unknown miscreants. The petitioner has been implicated in this case merely on suspicion that Refine Dhara oil has been recovered from his room. As such, besides suspicion, there is no allegation of any specific overt act 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 **Kamtaul P.S. Case No. 28 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, Darbhanga at Laheriasarai**, 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.

S.Ali/-

(Sanjay Priya, J)

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