

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55582 of 2017

Arising Out of PS.Case No. -279 Year- 2013 Thana -BAKHTIARPUR District- SAHARSA

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Deepak Kumar Bhagat @ Deepak Bhagat, S/o Late Basudeo Bhagat, R/o
Village- Pratapganj Basti, P.S.- Pratapganj, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate.
Mr. Upendra Yadav, Advocate.
For the State : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 08-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bakhtiarpur**
P.S. Case No. 279 of 2013 instituted for the offence under
Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case is that brother of the informant
went with Pintu Jha, Santosh Yadav and one unknown person. It
is alleged that informant received information on phone from
Pintu Jha that his brother Mantu Jha had met with an accident and
his dead body was lying at Bakhtiyarpur Police Station. On such
information, the informant reached Police Station and found dead
body of his brother. The informant raised suspicion against three
persons with whom the brother of the informant had gone on
Motorcycle.



Learned counsel for the petitioner has submitted that the petitioner is not named in the written report. His name has come in the statement of Pintu Jha during investigation.

In this manner, the petitioner is not named in the written report. As per written report, Pintu Jha has informed the informant on Mobile phone that his brother had met with an accident and police arrested Pintu Jha and, thereafter, in his statement before the police, he has disclosed the name of 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 **Bakhtiyarpur P.S. Case No. 279 of 2013**, 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, Saharsa**, 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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