

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18517 of 2017

Arising Out of PS.Case No. -306 Year- 2016 Thana -KHAIRA District- JAMUI

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Bharat Yadav, son of Kalo Yadav @ Kuldip Yadav, Resident of Village-
Alakhpura, Police Station- Gidhaur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Irshad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 01-07-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Khaira P.S.
- Case No. 306 of 2016 instituted for the offence under Sections
302 and 201/34 of the Indian Penal Code.
- It has been submitted on behalf of the petitioner that
this is a case of last seen. There is no eye witness of the case.
There is no material in the case diary to show that any overt act
has been committed by the petitioner. The informant is not the eye
witness.
- As per written report, daughter of the informant was
taken by this petitioner from her *sasural*. The informant lodged
Sanha on 14.12.2016 and on 15.12.2016, the informant got
information that one dead body was found near village Khadua.
He reached there and identified the dead body of his daughter.
- In this manner, except last seen, there is no allegation



of specific overt act against the 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 Khaira P.S. Case No. 306 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 Chief Judicial Magistrate, Jamui, 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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