

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29355 of 2017

Arising Out of PS.Case No. -50 Year- 2014 Thana -WARISNAGAR District- SAMASTIPUR

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Pramod Sah, son of Babu Lal Sah, Resident of Village- Mathurapur, P.S.-
Warisnagar (Mathurapur OP), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party/s : Md. Fahimuddin, A..P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Warishnagar
(Mathurapur O.P.) P.S. Case No. 50 of 2014 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
mere suspicion has been raised against him in the written report.
The petitioner has clean antecedent.

It is alleged in the written report that the deceased was
Manager of Mahendra Pradhan who used to see his property and
business of construction work. He was seen in the village in the
function of marriage of sister of Pawan Sharma, but he did not
return. Thereafter, a search was made and the motorcycle of the
deceased was found parked near the house of Anil Poddar.



Thereafter, the informant learnt that one dead body was lying in Hume Pipe in village Madhwapur, and then the informant reached there and identified the dead body of his brother having injury on forehead, back, stomach and neck etc. It is further alleged that construction of road was being done behind the house of Anil Poddar and accused Meghu Sharma had made demand of Rs.3,000/- from the deceased and Pramod Sah (petitioner) used to disturb the construction work. Besides such allegation, there is no specific overt act against the petitioner.

Case diary has been received.

From perusal of the case diary it appears that mere suspicion has been raised 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 Warishnagar (Mathurapur O.P.) P.S. Case No. 50 of 2014, 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, Samastipur, 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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