

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48004 of 2017**

Arising Out of PS.Case No. -316 Year- 2013 Thana -BHAGALPUR KOTWALI District-  
BHAGALPUR

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Santosh Kumar, Son of Late Jagdish Prasad, R/o Village- Warsaliganj, P.S.-  
Babarganj, District- Bhagalpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

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2      12-10-2017              Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
Kotwali (Bhagalpur) P.S. Case No.316 of 2013 registered under  
Sections 302, 201/34 and 120B of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner  
submits that on the recovery of the dead body of Om Prakash  
Baba from a Dharamshala, U.D. Case was instituted and his post-  
mortem report was received in which the cause of his death was  
ascertained as Asphyxia. During investigation, the name of the  
petitioner and 8 others surfaced on mere suspicion. The police, on  
investigation, while submitted the chargesheet against Kanhaiya



Saravgi, Pawan Galuka and Sanjeev Kunwar alias Singhjee and submitted the final form against Deepu Bhuwania, Shankar Poddar, Kanhaiya Sharma, Sanjay Kaushik alias Sanju alias Sanjeev Sharma and Santosh Kumar (petitioner) but the Chief Judicial Magistrate, Bhagalpur, took the cognizance of the offence against the petitioner and others also. Further submission is that Kanhaiya Sharma, Deepak Bhuwania alias Deepu Bhuwania alias Deepak Kumar Bhuwania and Sanjay Kumar Kaushik alias Sanju alias Saneev Kumar have already been granted the privilege of the pre-arrest bail by a Bench of this Court vide order dated 11.07.2017 passed in Criminal Misc. No.29878 of 2017.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Bhagalpur) P.S. Case No.316 of 2013, subject to the conditions laid down under Section 438(2) Cr.P.C.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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