

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1415 of 2017

Arising Out of PS.Case No. -60 Year- 2016 Thana -ASHOK PAPER MILL District- DARBHANGA
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1. Prajesh Kumar Rai @ Pardeshi, son of Hari Ballabh Rai, resident of
Village-Pator, Police Station-Pator (O.P.), District-Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 16-03-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in APM P.S.
Case No.60 of 2016 instituted for the offence under Section(s)
302/34 Indian Penal Code and Section 27 of the Arms Act.

It has been submitted that the petitioner is not
named in the First Information Report. His name has come
merely on suspicion during investigation as per statement of the
witness recorded in para 27 of the case diary.

As per *fard-e-bayan*, two miscreants came in the
hotel of the informant and one of the miscreants started
proceeding towards daughter of the informant inside the hotel,
which was obstructed by one Dilip Mandal, who was shot dead
by the miscreant.



Learned APP after going through the case diary has submitted that mere suspicion has been raised against this petitioner in para 18 and 27 of the case diary.

Learned Sessions Judge has mentioned in the impugned order that one of the witness in para 27 has stated that there was some dispute for running a hotel and besides this there is no specific overt act against the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with APM (Pator OP) P.S. Case No.60 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st class, Darbhanga, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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