

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7773 of 2017

Arising Out of PS.Case No. -345 Year- 2016 Thana -DANAPUR District- PATNA

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Nand Kumar Rai @ Dagar Rai Kumar @ Dagar Rai son of Late Sita Ram
Rai resident of village - New Mithila Colony, Nasriganj, Police Station –
Danapur,, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 06-04-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Danapur P.S. Case No.
345 of 2016 for the offences punishable under sections 302 and
120 B of the I.P.C and section 27 of the Arms Act.

Allegedly, Ashok Jaiswal was killed by the FIR
named accused persons and unknown. During investigation the
name of the petitioner transpires in the confessional statement of
Chhotu @ Doggy that after the occurrence the arms were kept
with the petitioner.

Submission is of false implication and that no legal
and cogent material has been collected during investigation by the



Investigating Officer, nothing has been recovered from house of the petitioner, without any legal evidence the petitioner has been implicated in this case and he is being searched and as such he deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that the investigation is going on and the name of the petitioner has come in paragraph-115 of the case diary which is confessional statement and further in paragraph 136 of the case diary which is the supervision report of the Additional S.P, Danapur.

In the facts and circumstances as stated above, considering that the petitioner has got no criminal antecedent as stated in paragraph-3 of the application on oath and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. A.C.J.M. Danapur, Patna in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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