

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31171 of 2017

Arising Out of PS.Case No. -371 Year- 2016 Thana -PHULWARI District- PATNA

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Prem Kumar, son of Udit Rai, resident of Vill- Pasauli, Faridpur, P.S.-
Janipur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 14-07-2017 Heard both sides.

The petitioner apprehends arrest in connection with
Phulwarisharif P.S. Case no. 371 of 2016 registered for the
offence under Sections 302/34 and 120-B of the IPC and 27 of the
Arms Act.

The case has been registered on the basis of
fardbeyan given before the police on 04.07.2016. The informant
has alleged that on the same day, the F.I.R. named accused Manoj
Kumar with the help of three unknown miscreants committed
murder of his father. He moved his injured father to the hospital
where he died. The said Manoj Kumar was at an inimical term
with his father as his several trucks were seized by police and he
was remanded to jail. The said Manoj had suspicion that the



deceased was an instrumental in getting him arrested and seized the trucks.

It is submitted that the petitioner is full brother of Manoj Kumar. He is in Army and at present posted at Delhi. He is residing with his children at Delhi where his children are getting education in army school. He has no concern with the affairs of his brother. There is nothing against the petitioner. The main accused Manoj Kumar was apprehended by police who confessed his complicity in this crime and also disclosed the name of his three accomplices namely, Nausad @ Sonu, Parwez and Khalid who committed murder of deceased. The name of this petitioner surfaced after one month. His name has been disclosed by the brother, nephew and son of the deceased after more than one month to the occurrence. The petitioner has clean antecedent.

Considering the aforesaid facts and circumstance, the anticipatory bail prayer of this petitioner is allowed. The petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Ms. Shema Eram, Judicial Magistrate 1st Class, Patna in connection with Phulwarisharif P.S. Case no. 371 of 2016, subject to the condition as laid down under Section



438(2), the code of Criminal Procedure.

(Sanjay Kumar, J)

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