

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39105 of 2017

Arising Out of PS.Case No. -336 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

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Brahma Mehtar, Son of Late Sakhichan Mehtar, Resident of Village-Narga Chauki, Niyamatpur, Harijan Tola, P.S.-Nathnagar, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Nath Tiwary, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Nathnagar P.S.

Case No. 336 of 2016 instituted for the offence under Sections 304(B) and 34 of the Indian Penal Code.

It has been submitted that petitioner is Dewar of the deceased. The husband is already in custody. The mother-in-law of the deceased has already been granted anticipatory bail by this Court vide order dated 04.05.2017 passed in Cr. Misc. 16002 of 2017.

As per written report, there is general and omnibus allegation against this 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 Nathnagar P.S. Case No. 336 of 2016, 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 Assistant Chief Judicial Magistrate, Bhagalpur, 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.

(Sanjay Priya, J)

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