

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40718 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -MASAURHI District- PATNA

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1. Ram Prabesh Rai @ Ram Prabesh Kumar, S/o Ram Kishun Rai, resident of village- Narayan Chak Tola Nathopur, at present living in the house of Rambilash Rai, Jora Kuan, P.S.- Beur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6/ 01-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Masaurhi P.S.**

Case No.57 of 2017 instituted for the offence under Section(s)
302, 201/34 Indian Penal Code.

Counsel for the Petitioner has submitted that there is no eye witness to the occurrence. Petitioner is not named in the First Information Report. Name of the Petitioner has been disclosed by co-accused in their confessional statement on their arrest before the police as mentioned in para 72, 73, 74, 75, and 76 of the case diary.

In the written report, it is alleged that dead body of one lady was found in the field.

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 **Masaurhi P.S. Case No.57 of 2017**, 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 **Sub-Divisional Judicial Magistrate, Masaurhi, Patna**, 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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