

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53429 of 2016

Arising Out of PS.Case No. -117 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

=====

Ram Swaroop Rai, son of Late Sukhari Rai, Resident of Village- Balwa
Kuwari, P.S. Sadar Hajipur, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-01-2017 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 120(b), 302/34 and 201
of the Indian Penal Code.

It is alleged in the written report that the petitioner
called Jagarnathi Rai, (since deceased), to his house on the eve of
Holi and, thereafter, he did not return. It is further alleged that the
accused persons have committed murder of Jagarnathi Rai and got
the dead body disappeared. It is further mentioned in the First
Information Report that Nitu Devi (wife of the deceased) has
illicit relationship with one Vinesh Rai.

Case diary has been received. The learned A.P.P. after
perusal of the same has submitted that there is no direct allegation



against the petitioner. There is confession of Nitu Devi in paragraph 22 of the case diary wherein she has admitted about her relationship with Vinesh Rai. Besides this, there is no any other specific material against the petitioner in the case diary. In the written report also there is no specific overt act alleged against the petitioner.

Considering the aforesaid facts and circumstances of the case, let the Petitioner in the event of surrender, named above, within six weeks from the date of receipt of this order, in connection with Hajipur Sadar P.S. Case No. 117 of 2016, 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 Chief Judicial Magistrate, Vaishali at Hajipur, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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