

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30090 of 2017

Arising Out of PS.Case No. -8 Year- 2016 Thana -LODIPUR District- BHAGALPUR

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1. Guddu Kumar @ Dharmendra Mandal, Son of Late Tarani Prasad Mandal, Resident of Village Pandampur Tola Mahagama, P.S. Rajaun, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Lodipur P.S. Case No. 08 of 2016 instituted for the offence under Sections-302, 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that besides the allegation that son of the petitioner was last seen with the petitioner, there is no any overt act against the petitioner. As per written report, son of the informant had gone with the petitioner along with other accused persons but he did not return. Later on, dead body of the son of the informant was found lying on the road side.

From the order of learned Sessions Judge, it appears that besides the allegation of last seen; there is no other specific allegation of overt act against this petitioner.

In such circumstances, prayer for anticipatory bail is allowed



and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of 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 in connection with Lodipur P.S. Case No. 08 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Bhagalpur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (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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