

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6250 of 2018

Arising Out of PS. Case No.-266 Year-2017 Thana- KODHA District- Katihar

Subodh Sahni, S/o Bhagwat Sahni, R/o Rajiganj, P.S.- Korha, Distt.-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. CHANDRA BHUSHAN PRASAD, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 27-02-2018 Heard learned counsel for the petitioner and the
State.

The petitioner apprehends arrest in Korha P.S. Case
No. 266 of 2017, instituted for the offence under Sections 302,
201/34 of the IPC.

Counsel for the petitioner has submitted that except
last seen with the deceased, there is no specific allegation of
overt act against this petitioner. The petitioner was directed to
file supplementary affidavit with regard to the statement
mentioned in para 51 of the case diary that one criminal case is
pending against this petitioner. The supplementary affidavit has
been filed, stating that the aforesaid case is pending against him.
From the written report and the case diary, it appears that except
last seen with deceased there is no 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Korha P.S. Case No. 266 of 2017, to the satisfaction of the learned Chief Judicial Magistrate, Katihar, 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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