

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6681 of 2018

Arising Out of PS.Case No. -21 Year- 2015 Thana -BANSHI District- JEHANABAD

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1. KUNDAN SHARMA @ KUNDAN KUMAR, Son of Mahendra Sharma @ Marendra Sharma, resident of Village- Moglapur, P.S. Banshi, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6/ 12-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Banshi P.S. Case No.21 of 2015** instituted for the offence under Section(s) 302/34 Indian Penal Code.

It is alleged in the written report that wife of the informant, namely, Malti Devi, had gone to cut paddy in the field and did not return home in the night. The informant started search and also gave information to the local police in this regard. It further appears that the informant learnt on the next day that dead body of his wife is lying in the field in naked condition.

Case diary has been received. The learned APP after looking into the case diary has submitted that mere suspicion has been raised against the petitioner. There is no eye witness to the



occurrence.

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 **Banshi P.S. Case No.21 of 2015**, 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 the **ADJ-V, Jehanabad**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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