

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11235 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -KADIRGANJ District- PATNA

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Kapildeo Prasad @ Kapil Yadav @ Kapildeo Prasad Yadav, son of late
Jangi Yadav, resident of village-Milkipar, P.S.-Pali, District- Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 08-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

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

Case No.50 of 2017 instituted for the offence under Section(s)
304-B, 201/34 Indian Penal Code.

Counsel for the petitioner submits that marriage has
taken place ten years back, which is mentioned in the written
report itself. Therefore, Section 304-B Indian Penal Code will not
apply in this case. He has further submitted that petitioner is
father-in-law of the deceased. There is no specific overt act
alleged against the petitioner.

In the written report, there is general and omnibus
allegation against the petitioner.

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 **Kadirganj P.S. Case No.50 of 2017**, 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 **Judicial Magistrate, 1st class, 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 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.

JA/-

(Sanjay Priya, J)

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