

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6253 of 2018

Arising Out of PS. Case No.-229 Year-2017 Thana- MASAUHRI District- Patna

Abhishek Kumar, Son of Nageshwar Prasad Singh, Resident of Village-Sardar Patel Path, Lakhibagh, P.S.-Masaurhi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jogendra Kumar

For the Opposite Party/s : Mr. SRI BINOD KUMAR 3

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302 and 201 of the IPC.

The prosecution case, as per the written report of Krishna Prasad dated 19.06.2017 submitted to the Station House Officer, Masaurhi Police Station is to the effect that the son of the informant went to his house and asked to prepare tea. Consequent to that, the wife of the informant was preparing tea, but in the meantime, some persons called his son on phone, after which, the son of the informant left the house without taking tea saying that he is going for duty. At 8 AM, the informant received information that the dead body of his son is lying at the police station. When the informant went to the police station, found the dead body of his son with black spot on his neck. The



informant was informed that dead body of his son was found on the side of road near Village Nagsthan, leading to registration of Masaurhi P.S. Case No. 229 of 2017.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. His name, subsequently, sprang up during investigation, on the confession of three co-accused persons, namely, Lalan Prasad, Sudhir Kumar and Abhay Kumar, the persons, who suggested the participation of the petitioner in the commission of the crime and except confession before the police, no material has been collected against the petitioner. All the accused persons, who named the petitioner in their confession, have been granted regular bail by different benches of this Court. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the fact that the petitioner is not named in the FIR and his name has sprang up on the confession of co-accused persons, who have been granted regular bail, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to



the satisfaction of learned Additional Chief Judicial Magistrate,
Masaurhi in connection with Masaurhi P.S. Case No. 229 of
2017, subject to the condition as laid down under Section 438(2)
of the Cr. P.C.

Learned Court below will be at liberty to cancel the bail
bonds of the petitioner if he fails to co-operate during
investigation.

(Dinesh Kumar Singh, J)

Amrendra/-

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