

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57739 of 2017

Arising Out of PS.Case No. -333 Year- 2017 Thana -KOTWALI District- MUNGER

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Devesh Kumar @ Dipesh Kumar S/o Ram Chandra Yadav, R/o Village-
Kemkha, P.S.- Kotwali, District- Munger. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karuna Nath Sahay

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-01-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Kotwali (Basudeopur) PS case no. 333 of 2017
registered for the offences punishable under Sections 364, 302,
201/34 of Indian Penal Code.

The allegation, according to the informant is that
co-accused persons namely Sunny Yadav and Hero Yadav had
come to the house of the informant and had taken away her son
along with them whereafter, the son of the informant was found
dead. It is further alleged that subsequently, it transpired that other
accused persons including the petitioner herein were also part of
the conspiracy.

The learned Senior counsel for the petitioner
submits that the present case can at best be said to be a case of last
seen and accordingly, the main accused are Sunny Yadav and



Hero Yadav whereas the petitioner has got no role to play inasmuch as, he has been roped in the present case merely on the ground of suspicion. It is further submitted that this Court by an order dated 19.12.2017 had called for the case diary. The case diary has been perused and from paragraph no. 107, it is clear that the police has submitted charge-sheet against co-accused persons namely Sunny Yadav, Hero Yadav, Ashish Yadav and Mithun Yadav and the investigation has been kept pending as against other accused persons including the petitioner herein.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. It is directed that the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in connection with Kotwali (Basudeopur) PS case no. 333 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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