

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62692 of 2017

Arising out of PS.Case No. -298 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Bittu Kumar Mishra @ Bittu Mishra @ Bittu Kumar, S/o Dinanath Mishra
@ Dinanath Mishra, Resident of Village- Banuchhapar, P.S.- Bettiah
Mufassil (Banuchhapar O.P.), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-01-2018 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 Manjhaulia P.S. Case No. 298 of 2017 registered
for the offence punishable under Sections 302/201 of the Indian
Penal Code.

The case of the prosecution is that a dead body was
recovered from a box in the river and it was said to be that of one
Kajal Kumari, daughter of Shri Dinanath Mishra, who happens to
be the father of the petitioner herein. The petitioner has been
implicated in the present case upon the confessional statement of
the said Dinanath Mishra.

The learned counsel for the petitioner submits that evn
as per the confessional statement of the father of the deceased, the



only allegation against the petitioner is that he had helped in disposal of the dead body. The petitioner has been falsely implicated in the present case and there is no injury on the head of the injured, hence, the allegation levelled against the petitioner regarding assaulting on head is false. It is further submitted that the petitioner has a clean antecedent.

Having regard to the facts and circumstances of the case more particularly the fact that the petitioner is the own brother of the deceased who was killed by her father, I deem it fit and proper to enlarge the petitioner herein on anticipatory bail in the event of his arrest or surrender before the court below within six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Bettiah, West Champaran in connection with Majhulia P.S. Case No. 298 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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