

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62279 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -EKMA District- SARAN

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1. Rajesh Sharma S/o Dhurandhar Sharma, R/o Village- Amdhadi Karapura,
P.S.- Ekma, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor of the State.

The petitioner is apprehending his Ekma P.S.Case
No.97/2017 registered for offences punishable under Section 304
of the Indian Penal Code.

From the written report, it appears that there is
general and omnibus allegation against the petitioner.

It is further submitted that the mother-in-law of the
deceased has already been granted anticipatory bail by this Court
vide order dated 21.09.2017 passed in Cr. Misc. No. 40259 of
2017 and as far as petitioner is concerned, he is brother-in-law of
the victim , hence, the case of the petitioner is similar to the case
of the mother-in-law of the deceased, who has already been
admitted to privilege of anticipatory bail.



Considering the facts and circumstances of the case, the petitioner is directed to be enlarged on anticipatory bail in the event of arrest/surrender within six weeks before the concerned Court on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Ekma P.S.Case No. 97 of 2017 , subject to the conditions enumerated 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 trail and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bonds of the petitioner and (3) if petitioners tamper 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.

(Mohit Kumar Shah, J)

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