

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18476 of 2018

Arising Out of PS.Case No. -279 Year- 2017 Thana -SIRDALA District- NAWADA

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1. Uday Prasad, S/o Late Vijay Prasad, r/o village- Sukhnar, P.S.- Sirdala,
District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Sirdala P.S. Case No.279 of 2017** instituted for the offence under Section(s) 302, 201/34 Indian Penal Code.

Counsel for the petitioner has submitted that petitioner is named in the First Information Report merely on suspicion. There is no eye witness to the occurrence.

The informant has alleged that he got information on 15.10.2017 from his wife on phone that his son, Anish Kumar, is traceless from the house and after search his dead body was found in the pond. The informant came to his house on 17.10.2017 and his wife told that this petitioner had called his son



to carry cow dung to pump machine. Son of the informant went with the petitioner and his brother, but did not return. Thereafter, informant's wife started making search and on enquiry from this petitioner, he told that his son has already returned to his house. It is further alleged that during search Suman told that pant and shirt of the informant's son is lying on the bank of the pond. The villagers found dead body of informant's son. There was mark of injury on head and nose. Informant has suspected that his son was murdered by this petitioner and his brother.

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 **Sirdala P.S. Case No.279 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 **Additional Chief Judicial Magistrate-V, Nawada**, 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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