

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43971 of 2017

Arising Out of PS.Case No. -156 Year- 2015 Thana -MUSAHRI District- MUZAFFARPUR

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Dharam Srivastava, Son of Late Mahashankar Srivastava, Resident of
Mohalla- Pakkisarai Jail Road, Tirkothia, P.S.- Mithanpura, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Asharaf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 18-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mushari P.S.**

Case No. 156 of 2015 instituted for the offence under Sections
302, 201 and 34 of the Indian Penal Code.

As per written report Chowkidar found one dead body
floating in Kanal water. Thereafter, a case has been lodged against
unknown. During investigation, the son of the deceased gave
statement before the police raising suspicion against his step
mother Rekha Devi and one Dharmendra Srivastava.

The name of this petitioner has come in the
confessional statement of co-accused Rekha Devi and Md.
Parwez. Besides this, there is no allegation of any specific overt
act against this petitioner.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Mushari P.S. Case No. 156 of 2015**, 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 **learned Additional Chief Judicial Magistrate-cum-Sub Judge-3rd, Muzaffarpur**, 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 their 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.

(Sanjay Priya, J)

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