

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43651 of 2017

Arising Out of PS.Case No. -216 Year- 2014 Thana -PIRBAHOR District- PATNA

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1. Rahul Kumar Son of Anil Kumar Choubey Resident of Near Apsara Hotel, Dhobiya Gali, Police Station - Kadamkuan, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 09-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Pirbahor P.S. Case No. 216 of 2014, G.R. No. 4394 of 2014 instituted for the offence under Sections 302,201,34 of the IPC.

It is alleged in the written report that in the night on 12.07.2014, the son of the informant after receiving a phone call went to his shop and did not return back and on 16.04.2014, the informant received information that dead body of his son was lying at PMCH, Patna, behind the cottage. The informant raised suspicion in the written report that his son has been killed by this petitioner along with other accused persons named in the FIR, due to a girl Rinku Kumari.

Learned counsel for the petitioner has submitted that



suspicion has been raised in the written report by the informant that the occurrence took place due to love affair with the Rinku Kumari. But Rinku Kumari has never been examined by the Investigating Officer. Counsel for the petitioner further submitted that beside suspicion there is no specific allegation of overt act against this petitioner.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Pirbahor P.S. Case No. 216 of 2014, G.R. No. 4394 of 2014 to the satisfaction of learned C.J.M., 1st Class, Patna subject to condition as laid down u/S 438 (2) of the 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 dated 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 the 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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