

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57280 of 2017

Arising Out of PS.Case No. -113 Year- 2016 Thana -SHASTRINAGAR District- PATNA

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1. Sonu @ Abhishek @ Ritik @ Sonu Kumar S/o Sri Pappu Prasad Yadav,
R/v-Mahavir Mandir, Mahuyabagh, P.s.-Rupashpur, Distt.-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Shastri Nagar P.S.

Case No. 113 of 2016, G.R. No. 1855 of 2016 instituted for the
offence under Sections 364,302,34 of the IPC.

It is alleged in the written report that informant received information from police personnel that her son Danish was found in injured condition at Jagdeopath Bakari Bazar and he has been brought to Getwell Hospital and on such information, the informant and other family members went to Getwell Hospital where they learnt from Danish that on 16.3.2016 at about 5.00 pm, Danish has gone to K.F.C. Restaurant, Raja Bazar, and when he was returning, to his house, in the meantime at 5.30 pm accused persons came there on motorcycle and forcefully took him by his



motorcycle at Mahuyabagh. He further told that 20-25 persons were already present there and all of them have assaulted him with belt, fists, danda, brick, rod, knife etc. and threw him in Bakari Bazar, Jagdeopath. The injured Danish was brought to PMCH from Getwell Hospital and thereafter, Paras Hospital, Raja Bazar for treatment, where, he died on 17.03.2016, subsequently. The case diary has been received. The name of this petitioner has been disclosed by co-accused Diwakar Kumar in his confessional statement as recorded in para 17 of the case diary.

Learned counsel for the State has stated that in para 9 of the case diary, the informant has taken the name of this petitioner.

Learned counsel for the petitioner has pointed out after looking into para 9 of the case diary, that the informant learnt the name of this petitioner from *Mohalla* people.

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 Shastri Nagar P.S. Case No. 113 of 2016, G.R. No. 1855 of



2016 to the satisfaction of learned Judicial Magistrate, 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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