

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61184 of 2017

Arising Out of PS.Case No. -21 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

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Santosh Kumar @ Santosh Singh S/o Late mauli Singh, R/o Village-
Panchmahala, P.S.- Maranchi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-01-2018 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Barahiya P.S. Case No. 21 of 2015 registered for the offence punishable under Sections 328, 302/34 of the Indian Penal Code.

The allegation of the prosecution is that the husband of the informant has left the house on the date of occurrence, however, he did not return back and thereafter it transpires that his dead body was lying near the petrol pump on the road.

The learned counsel for the petitioner submits that at best the petitioner herein can be said to have been travelling through the place from where the husband of the informant was also passing by. However, there is no material on record to suggest the



complicity of the petitioner in the instant case. It is further submitted that the petitioner has a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Barahiya P.S. Case No. 21 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner shall join the investigation and cooperate with the Investigating Agency during investigation. It is further made clear that in case the Investigating Agency finds that the petitioner is not cooperating in the investigation, it would be free for the Investigating Agency to approach this Court for cancellation of bail of the petitioner herein.

(Mohit Kumar Shah, J)

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