

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63688 of 2017

Arising Out of PS.Case No. -270 Year- 2017 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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Surendra Sah, S/o Late Mohini Sah, R/o At Dhokraha Post Office and P.S.-
Ram Nagar, District- West Champaran (Betiah) Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Thakur, Advocate.

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Ram Nagar P.S.**

Case No. 270 of 2017 instituted for the offence under Sections 302,
328, 201 and 34 of the Indian Penal Code.

In the written report it is alleged that husband of the
daughter of the informant had gone abroad to earn livelihood. It is
alleged that co-accused Nandu Sah used to come in the house of the
informant's daughter. The son-in-law of the informant died due to
illness. The daughter of the informant after death of her husband, was
living with co-accused Nandu Sah leaving her two children.

In the written report there is no allegation of any specific
overt act against the petitioner.

Learned counsel for the petitioner has submitted that
petitioner is younger brother of co-accused Nandu Sah. It has further



been submitted that co-accused Saroj Devi, with similar allegation has been granted anticipatory bail by this Court vide order dated 12.12.2017 passed in Cr. Misc. 59077 of 2017.

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 **Ram Nagar P.S. Case No. 270 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 **learned Sub Divisional Judicial Magistrate, Bagha, Distt. West Champaran**, 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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