

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31360 of 2018**

Arising Out of PS. Case No.-312 Year-2017 Thana- BAKHTIARPUR District- Saharsa

Pintu Rajak S/o Mani Rajak, R/o Vill.- Simri Bakhtiyarpur, Ward No. 02,  
Block Colony, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      12-07-2018              Heard learned counsel for the petitioner and learned APP  
for the State.

Petitioner apprehends his arrest in Bakhtiyarpur P.S. case  
no. 312 of 2017 instituted for the offence under Section 302 and  
201 of the Indian Penal Code.

It is alleged in the written report, which was filed by  
Chowkidar that he heard rumour that a dead body is lying kept in a  
bag near Farhi River. The informant went there and found several  
persons had assembled and found that a dead body was kept in a  
plastic bag lying there. The bag was opened and dead body of  
unknown lady was found and none identified the dead body. The  
informant has suspected that some unknown persons had thrown  
the dead body after committing murder.

Learned counsel for petitioner has submitted that petitioner



is maternal uncle of the deceased. He has been made accused by the police during investigation. Except suspicion there is no cogent material available on record against this petitioner. There is no any allegation of specific overt act against this petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bakhtiyarpur P.S. case no. 312 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 the CJM, Saharsa 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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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