

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44737 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -MANSI District- KHAGARIA

=====

1. Manish Kumar Son of Gulab Yadav resident of Village - Kumhar Chakki, Police Station - Muffasil, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Mansi P.S. Case No. 172/2012, instituted for the offences punishable under Sections 364/34 and 302, 201, 120(B)/34 of the Indian Penal Code.

It is alleged in the written report that on 17.07.2017 the husband of the informant Gandaury Yadav went near Pathik Line Hotel after receiving telephonic call of co-accused Guddu Yadav and Ashish Yadav. Her husband (Gandaury Yadav) informed his son that he is in the company of Guddu Yadav and Ashish Yadav and if he does not return home today then he may come after 2 - 3 days. When he did not return after 2-3 days, the



informant tried to contact him on his mobile phone, she found that his phone was switched off. Thereafter, the informant raised suspicion against both accused persons that they might have killed her husband after kidnapping.

Learned counsel for the petitioner has submitted that the petitioner is not named in the F.I.R. His name has transpired on the basis of the confessional statement made by one Gulab Yadav before the police, which is evident from para 40 of the case diary.

Considering the facts and circumstances of the case, the 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 Mansi P.S. Case No. 172/2017, 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 learned Chief Judicial Magistrate, Khagaria, subject to the conditions as laid down under Section 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 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 tamper 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.)

Rakhi

U		T	
---	--	---	--

