

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71839 of 2018

Arising Out of PS. Case No.-21 Year-2017 Thana- SURYAGARHA District- Lakhisarai

Praveen Kumar Mishra @ Praveen Mishra Son of Ram Mishra Resident of
Village-Bhawanipur,P.S. Surajgarha(Manikpur), Distt.-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 364, 302, 201, 120(B) of the Indian Penal Code.

Allegation is that the husband of the informant had gone with
the accused persons including the petitioner to Kolkata for doing the
job of khalasi. After a few days, the informant tried to contact her
husband, but she could not be succeeded and thereafter she made
contact with the petitioner, who told that her husband had left the job.
The informant raised suspicion about killing of her husband.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been made accused due to mistake of fact. Except for suspicion,
there is no other substantive evidence to suggest the implication of



the petitioner. No offence under Section 364 of the I.P.C. is made out. There is no allegation that the deceased was taken forcibly by any of the accused persons. There is no eye witness to the alleged occurrence. Other co-accused has been granted anticipatory bail vide Cr.Misc.No.20907 of 2017.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha (Manikpur) P.S. case No.21 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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