

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26789 of 2018

Arising Out of PS.Case No. -373 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Arshad Ali @ Arshad S/o Md. Nehal @ Eid Mohammad , R/o Baswaria
BNich Mohalla Bettiah, P.S.- Bettiah, Town District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-06-2018 The petitioner is apprehending his arrest in connection with Bettiah Muffasil P.S. Case No. 373 of 2017, registered for offences punishable under Sections 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and others is of taking away the son of informant on the pretext of some work and in the night, son of informant communicated to the informant that he is with the petitioner and others and would return early, however, he did not return and next day, his dead body was found.

It has been submitted on behalf of the petitioner that he has no role to play in the death of the deceased and his name has surfaced in this case only on the basis of confession of co-accused and except that there is nothing against the petitioner in the entire



case diary and the petitioner has not taken the deceased with himself. It has also been submitted that other co-accused person having similar allegation has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 13.02.2018 passed in Cr. Misc No. 61392 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, 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, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran, in connection with Bettiah Muffasil P.S. Case No. 373 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as



and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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