

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2120 of 2018

Arising Out of PS.Case No. -396 Year- 2017 Thana -KOTWALI District- MUNGER

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Prince Mishra, Son of Umesh Mishra, Resident of Village-Sitakund
Hasanpur, P.S.-Mufassil, District-Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-02-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with
Kotwali (Purabsarai) PS case no. 396 of 2017 dated 3.11.2017
registered for the offences punishable under Sections 341, 323,
325, 379, 307, 302, 504, 506/34 of the Indian Penal Code.

The case of the prosecution is that the accused persons had
assaulted the deceased resulting in his death.

The learned counsel for the petitioner submits that admittedly
the postmortem report shows that the deceased died on account of
cardiac arrest. It is further submitted that the Doctor has also
deposed before the police that the deceased was brought to the
hospital for treatment of heart-attack. It is further submitted that



the petitioner is having a clean antecedent and he is ready to join investigation.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kotwali (Purabsarai) PS case no. 396 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

It is directed that the petitioner shall co-operate with investigation and would be present as and when he is called by the investigating agency. Any non-cooperation with the prosecution will result in cancellation of the present privilege of anticipatory bail, for which the investigating Officer/ prosecuting agency shall be free to approach this Court.

(Mohit Kumar Shah, J)

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