

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41526 of 2018

Arising Out of PS.Case No. -681 Year- 2017 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Abhishek Kumar Son of Sanjeev Kumar Resident of Village - Jamgawn,
Police Station - Jagdishpur, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Baby Devi W/o Late Dhruv Narayan Prasad R/o Village - Jamgawn, P.O.
Baluachak, P.S. Jagdishpur, District Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 13-09-2018 The petitioner is apprehending his arrest in connection
with Complaint Case No. 681 of 2017, registered for offences
punishable under Sections 302/34 and 120(B) of the Indian Penal
Code.

Allegation against the petitioner is that he thrown the
deceased in a well.

Submission of learned counsel for the petitioner is that
this case has been instituted on complaint petition and there is no
attribution of any allegation against the petitioner. It has further
been submitted that other co-accused persons having similar
allegation have been granted privilege of anticipatory bail by a
Co-ordinate Bench of this Court vide order dated 23.08.2018



passed in Cr. Misc. No.47319 of 2018.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail of the petitioner stating that earlier viscera report was also called for. However, it appears that the viscera was not preserved.

Having heard both sides, considering the facts and circumstances of the case, 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 C.J.M., Bhagalpur, in connection with Complaint Case No. 681 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)

sunil/Amjad/-

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