

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12642 of 2018

Arising Out of PS.Case No. -15 Year- 2017 Thana -ADHAURA District- BHABHUA (KAIMUR)

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1. Rajendra Chero, s/o late Ramnath Chero, r/o village- Karah, P.S.-
Adhaura, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 09-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Adhaura P.S.**

Case No.15 of 2017 instituted for the offence under Section(s)
302, 201/34 Indian Penal Code.

Counsel for the petitioner has submitted that the
police has submitted Final Report in the case, but the learned
Magistrate after differing with the Final Report has taken
cognizance against the petitioner and accused persons for the
offence under Section(s) 302, 201/34 Indian Penal Code.

Learned APP has pointed out para 9 of the order of
cognizance, wherein, learned Magistrate has mentioned that there
are materials in different paragraphs of the case diary.

Counsel for the petitioner has submitted that mere



suspicion has been raised against the petitioner.

In the written report, there is allegation that one Suraj Chero used to do black magic with the family of the informant for last ten months. Informant has further alleged that his son had gone for call of nature and on the next day dead body of his son was found hanging from the tree.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Adhoura P.S. Case No.15 of 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 **Chief Judicial Magistrate, Kaimur at Bhabua**, subject to the conditions as laid down under Section 438(2) 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers 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.

JA/-

(Sanjay Priya, J)

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