

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34410 of 2018

Arising Out of PS. Case No.-256 Year-2017 Thana- KOILWAR District- Bhojpur

Krishna Prasad @ Krishna Ram, Son of Lakhna Ram, resident of Village-
Chhotaki Sasaram, P.S.- Udwant Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Rai

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-07-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Koilwar P.S. case no. 256
of 2017 instituted for the offence under Section(s) 302 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is not the family member of the deceased. It has further
been submitted that there is no any specific allegation against this
petitioner in the written report.

In the written report there is allegation that this petitioner with
other accused persons has committed murder of wife of the informant
by slitting her neck. It is also mentioned in the written report itself
that there was dispute of property between the informant, his sister
and other family members. It is submitted that this petitioner has no
concern with the aforesaid dispute of property as he is not the family



member of the informant. One of the co-accused with similar allegation has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 19.04.2018 passed in Cr. Misc. no. 13145 of 2018.

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 Koilwar P.S. case no. 256 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 CJM, Bhojpur (Ara), 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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.

(Sanjay Priya, J)

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