

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48343 of 2018

Arising Out of PS.Case No. -117 Year- 2018 Thana -SIMRI District- BUXAR

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1. Bhagwan Dikshit @ Bhagwan Thakur @ Bhagwan Chandra Dikshit, son of Shiwadhar Thakur, resident of Village- Sahiyar, P.S.- Simiri, District-Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-10-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302, 201/34 of the Indian Penal Code.

The prosecution case, in brief, is that the daughter of the informant was killed by in-laws of the deceased.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioners have been made accused in this case due to mistake of fact. The petitioner is alleged to be Bhainsur of the deceased. He is separate in mess and property from husband of the deceased. The husband is in custody. The alleged occurrence is said to have



taken place after seven years of marriage. There is no eye witness to the alleged occurrence. The petitioner has been made accused in this case only on the basis of suspicion. The other similarly situated co-accused namely, Sunita Devi has been granted anticipatory bail by this Court vide order dated 18-09-2018 passed in Cr. Misc. No. 53901 of 2018.

Counsel for the State vehemently opposed the prayer and submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Simri P.S. Case No. 117 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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