

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27797 of 2018

Arising Out of PS.Case No. -611 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Abhishek Kumar Bharti, Son of Kundan Kumar Bharti, resident of Village- Dhamsaini Ward No. 09, P.S. & District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Smt. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-05-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Sour Bazar P. S. Case No. 611 of 2017, registered for offences punishable under Sections 302, 201, 120 (B) and 34 of the Indian Penal Code.

The allegation against the petitioner is of kidnapping and killing the son of the informant.

Submission of the learned counsel for the petitioner is that the petitioner is not named in F.I.R. and no direct evidence is available against him. It is further submitted that the petitioner has falsely been implicated in this case and there is absolutely nothing against him.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances discussed above, let the petitioner, above named, surrender before the Court below within a period of four weeks from receipt of order and he will be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 611 of 2017, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. and one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

However, it is made clear that if some relevant materials are found during investigation, prosecution shall move for cancellation of bail bond of the petitioner.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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