

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39192 of 2018

Arising Out of PS.Case No. -44 Year- 2018 Thana -MANSI District- KHAGARIA

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Pankaj Mishra, S/o Late Navin Mishra, R/o Vill.- Chakhusaini, Ward No. 14, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mansi P.S. Case No.44 of 2018** instituted for the offence under Sections 364/34 of the Indian Penal Code.

Counsel for the petitioner submits that this case has been lodged by wife of the deceased against her son and daughter-in-law.

In the written report it is alleged that husband of the informant had gone to perform Puja in the house of Shankar Yadav in village Tokapur and did not return.

From the impugned order it appears that dead body of husband of the informant was recovered from maize field as is evident from paragraph-12 of the case diary. Informant has raised suspicion against petitioner because he had given threat to her husband on account of land dispute.



In such circumstances, besides suspicion there is no allegation of any specific overt act against the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Mansi P.S. Case No.44 of 2018**, 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 learned **Chief Judicial Magistrate, Khagaria**, 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.

(Sanjay Priya, J)

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