

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4842 of 2019

Arising Out of PS. Case No.-153 Year-2016 Thana- TARIYANI CHOWK District- Sheohar

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DHARMENDRA SAHNI Kailash Sahni Resident of village-Belahiya, P.S.-
Tariyani, District- Sheohar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Thakur
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-01-2019 The petitioner seeks bail in anticipation of his

arrest in connection with Tariyani P.S. Case No. 153 of 2016

dated 25.11.2016 instituted for the offences under Sections

302, 201, 34 of the Indian Penal Code.

The F.I.R is against unknown.

The young son of the informant was found dead in

the field with his throat slit.

The parents of the petitioner were arrested on

suspicion. It appears that the name of the petitioner was

taken by his mother. The parents of the petitioner were put

on trial and finding no evidence against them, they have

been acquitted.



The learned counsel for the petitioner has submitted that thus there remains no evidence on record to frame the petitioner in the present case.

This Court does not wish to exercise its power under Section 438 Cr.P.C for the simple reason that the petitioner has been declared an absconder.

The prayer for anticipatory bail of the petitioner is dismissed.

However, if the petitioner surrenders within a period of four weeks from today and prays for regular bail, the Court below shall look into the aforesaid aspect and shall pass orders in accordance with law without being prejudiced by the fact that the present petition for anticipatory bail has not been entertained.

The petition is dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

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