

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38908 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- BARSOI District- Katihar

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1. MD. SAMRUL S/o Late Kalu, R/o- Choundi, P.S.- Barsoi, Distt.- Katihar.
 2. Md. Suku @ Md. Shukru S/o- Late Ishmile R/o- Choundi, P.S.- Barsoi, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Barsoi P.S. Case No. 55 of 2019
registered for offence punishable under sections 302 and
120(B)/34 of the Indian Penal Code.

The victim was married to Md. Suku @ Md.
Shukru (petitioner no. 2) under the muslim law. The petitioner
no. 1 is Chachera Debar of the deceased. Allegation has been
made that by under conspiracy, both have killed the victim girl.

It has been stated that the petitioner no. 2 always
used to assault the victim.

Looking to the facts and circumstances of the case,



the prayer for bail of the petitioner no. 1, namely, Md. Samrul is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Barsoi P.S. Case No. 55 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. Whenever the Police will call the petitioner no. 1 for the purpose of interrogation/investigation, he would present himself, In case of failure, the prosecution will have liberty to make a prayer for cancellation of his bail before the court below.

So far petitioner no. 2, his prayer for bail is rejected.

(Shivaji Pandey, J)

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