

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47566 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- AKILPUR District- Saran

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BHIKHARI SAH Son of Kalika Sah Resident of Village - Akilpur, P.S.-
Akilpur, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 01-10-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Akilpur P.S. Case No. 06 of 2019, disclosing the offence under Sections 302, 201, 120-B of the Indian Penal Code.

The petitioner is father of the deceased. The dead body was found lying in an agricultural field. According to the FIR, she was killed by her family members and for the purpose of disappearance of evidence they were taking the body for cremation. In the meanwhile, since there was some uproar over the incident, they threw away the dead body and fled away from the place of occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that no case under Section 302 of the IPC is made



out, as there is no material either in the FIR or collected in course of investigation which can impute such conduct to the petitioner. He has further submitted that it transpires that the victim had committed suicide.

Learned Additional Public Prosecutor has not been able to point out any material collected in course of investigation on the basis of case diary which can be said to be constituting commission of offence under Section 302 of the IPC.

Considering the facts and circumstances, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned ACJM-14th, Saran at Chapra in Akilpur P.S. Case No. 06 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail



bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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