

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78028 of 2018

Arising Out of PS. Case No.-133 Year-2014 Thana- BAHERA District- Darbhanga

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Damodar Prasad Yadav S/o Late Sitaram Yadav, R/o Vill.- Bauharwa, P.S.-
Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Jha

For the Opposite Party/s : Mr. Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-01-2019 This is an application for grant of anticipatory bail in connection with Bahera P.S. Case No. 133 of 2014, disclosing offences under Sections 302/34 of the Indian Penal Code.

Allegation as per F.I.R. is that a dead-body was recovered. Petitioner is not named in the F.I.R., later on his name transpired during course of investigation in this case.

Submission of learned counsel for the petitioner is that the petitioner is not named in the F.I.R. and he has falsely been implicated in this case only on the basis of suspicion. Further submission is that other co-accused person has been granted bail by this Court passed in Cr. Misc. No.16105 of 2015.

Heard learned A.P.P. also.

Having heard both sides, considering the above facts



and circumstance and also considering the fact that the petitioner was earlier absconding, I am not inclined to grant privilege of anticipatory bail to the petitioner.

However, the petitioner should surrender before the learned court below within a period of six weeks from the date of receipt of the order of this Court and pray for regular bail and the court below after considering the materials available on record as well as the fact that other co-accused has been granted bail by this Court, shall dispose off the prayer for bail of the petitioner, if possible on the same day.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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