

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18465 of 2020**

Arising Out of PS. Case No.-308 Year-2019 Thana- DARIYAPUR District- Saran

=====

MUKESH KUMAR Son of Jay Narayan Ray Resident of Village- Bari  
Bisahi, P.S.- Dariyapur, Dist.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      19-08-2020                      Due to COVID-19 Pandemic, the matter is being  
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For  
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 302, 120B, 201/34 of the Indian Penal  
Code.

The prosecution case, in short, is that when the  
informant was at her Maika, she received information that her  
husband was killed by the accused persons and thereafter his  
dead body was thrown in the river.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is named in the F.I.R. merely on the basis of suspicion. The informant is the Bhabhi of the petitioner. Later on, she has filed an application in the Court below vide Annexure-3 to the present application where she has retracted from her earlier statement made in the F.I.R. It has further been submitted that the informant has got married with the petitioner and the informant does not want to pursue the present case in the light of Annexure-3.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Chapra in connection with Dariyapur P.S. Case No. 308 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

Pankaj/-

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