

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77288 of 2019

Arising Out of PS. Case No.-279 Year-2018 Thana- UJIYARPUR District- Samastipur

MD. MONU @ MONU KHAN @ MUNNU @ MD. MUNNU Resident of
Village- Shahpur, P.S.- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Ehteshamuddin

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-03-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Ujiapur P.S. Case No. 279 of 2018 for the offence
punishable under Sections 302/201/34 of the Indian Penal Code.

The allegation is regarding an unidentified dead body
having been recovered from the place of occurrence and the
same was stated to be that of Ajay Paswan, who is stated to be a
truck driver. It appears from the case diary that the said
deceased person was seen in the company of the co-accused
person and the police, during the course of investigation, had
apprehended the co-accused person namely Sunny, who in his
confessional statement, is stated to have disclosed about the
name of the petitioner as his accomplice.

The learned counsel for the petitioner has submitted



that the petitioner is innocent, has been falsely implicated in the present case and though he is an accused in two other cases, pertaining to minor offences, he is on bail in the said two cases. It is further submitted that there is no eye witness of the occurrence and the petitioner has been falsely roped in the present case merely on the confessional statement of the co-accused person namely Sunny, hence the complicity of the petitioner has not been established till date..

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Samastipur in connection with Ujiarpur P.S. Case No. 279 of 2018 (G.R. No. 680 of 2018), subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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