

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83524 of 2019

Arising Out of PS. Case No.-300 Year-2018 Thana- DUMRA District- Sitamarhi

NAWAL KUMAR Son of Vinod Rai Resident of Village - Madanpur, P.S.-
Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 30-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dumra P.S. Case No. 300 of 2018, disclosing the offence under Sections 302/34 of the Indian Penal Code.

The informant is father of the deceased, who was married to one Lalan Rai. According to the informant, he received an information to the effect that his daughter, the victim, has been done to death by the persons named in the FIR including this petitioner. Petitioner's father and mother have also been made accused. It is evident from the First Information Report that according to the informant himself some altercation had taken place in the family in relation to partition of joint family property. The husband of the deceased and the persons



named in the FIR are agnates. The petitioner's father and mother were arrested, who have been allowed regular bail, as is being submitted on behalf of the petitioner. He has submitted that the petitioner was not there in the village when the occurrence had taken place, as he had gone out of State to earn his livelihood.

It is evident from the FIR that the implication of the petitioner and others is based on the information, which the informant had received from the sources not disclosed in the FIR. In the case diary, no material, over and above what is there in the FIR, has been collected to justify the implication of this petitioner so far.

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 Chief Judicial Magistrate, Sitamarhi in Dumra P.S. Case No. 300 of 2018-, 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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