

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31418 of 2020

Arising Out of PS. Case No.-145 Year-2018 Thana- ARWAL District- Jehanabad

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BHARATH MISTRY @ BHARAT MISTRY, Son of Tetar Mistry, Resident of
Village- Umairabad, P.S. and District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 302/34 of
the Indian Penal Code and later on charge sheet submitted under
Section 304(B) of the Indian Penal Code.

Prosecution case in brief is that on the basis of



Fardbeyan of one Saroj Mistry, the father of the deceased, the informant has married his daughter Anjani Devi with Ramesh Mistry. On the preceding night of occurrence i.e. on 18.05.2018 his son-in-law rang him to take his daughter otherwise she should be killed. On the next morning informant with his wife went to the house of in laws where he found the dead body of his daughter bearing injury marks on the body. He has full reason to believe that she has been killed by the all named accused persons.

Learned counsel for the petitioner submits that the co-accused husband and father-in-law of the deceased have been acquitted by the learned court below. The other co-accused have been granted anticipatory bail by a Co-ordinate Bench of this court vide order dated 08.04.2019 passed in Cr. Misc. No. 57617/2018. He further submits that the petitioner is uncle of husband of the deceased and living separately. The petitioner has got no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) in the District Legal Service Committee.



In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Arwal in connection with Arwal P. S. Case No. 145 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000/- (Rupees Five Thousand) in the District Legal Service Committee.

(Anjani Kumar Sharan, J)

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