

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5041 of 2024

Arising Out of PS. Case No.-93 Year-2023 Thana- SAHJAHANPUR District- Patna

Anil Mistri @ Anil Sharma Son Of Sri Mohan Mistri R/O-Jolbigha, P.S.-karai
Persurai, Distt.-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 30-04-2024 Heard learned counsel for the petitioner and Mr.
Umeshanand Pandit, learned A.P.P. the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

3. As per the prosecution story, the allegation against the petitioner is that he took the informant's husband on the pretext of going to prospective bride groom's house but failed to return and subsequently she came to know through the Facebook about the injury sustained by her husband, rushed to PMCH and found him dead making allegation against the petitioner, the F.I.R. was lodged.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on



suspicion. Informant is not an eye witness of the occurrence. At best, it is a case of last seen. As a matter of fact, during course of investigation, it has come that it was the petitioner himself who took the deceased to the hospital for treatment, who fell on the railway line. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Patna City in connection with Shahjahanpur P. S. Case No. 93 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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