

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13180 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sachindra Kumar @ Sachindra Kushwaha, son of Sri Ram Banaras Prasad, resident of Village- Dhekaha, Laxman Tola, P.S.- Motihari Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Gulnar Begam, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-05-2017

Heard Mr. Abhishek Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant is eyewitness of the occurrence. Unknown persons fired at the nephew of the informant; causing his death. In the subsequent statement the informant has named the petitioner.

Learned counsel for the petitioner doubted the subsequent statement for the reason that if the petitioner was known to the informant there was no reason for not naming the petitioner in the F.I.R.



Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari/Successor Court in connection with Chakia Police Station Case No.5 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. With further condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

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