

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43904 of 2017

Arising Out of PS. Case No.-55 Year-2008 Thana- PHULWARIA District- Gopalganj

Shivjee Singh Son of Indrashan Singh @ Indrashan Bhagat, R/o Village-
Mishra Bataraha, P.S.- Pulwaria, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Opposite Party/s : Mr. SANJAY KUMAR TIWARY 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302, 328 and 201/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner got informant's son consumed some kind of poison, due to which he died in course of treatment.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The police had submitted a final form against the petitioner. The same was accepted by the court below. During the trial, a petition was filed for issuance of summon under Section 319



Cr.P.C.. As per the F.I.R., the petitioner was made accused in the present case merely on the basis of suspicion. There is no substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the name of the petitioner has come during the trial.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. VIII, Gopalganj in connection with Phulwaria P.S. case No.55 of 2008 corresponding to Sessions Trial No.228 of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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