

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36658 of 2017

Arising Out of PS.Case No. -238 Year- 2016 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Chandan Singh @ Chandan Kumar Singh, son of Bipin Singh, R/o Village-
Shitalpur, P.S.- Raxaul, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. B.K.M. Tripathi, Advocate

For the Opposite Party/s : Mr. R.R.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-08-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Raxaul P.S.Case No. 238 of 2016 registered for the offence under Sections 328, 307 and 302 of the Indian Penal Code.

Allegation against the petitioners is of administering intoxicant substance to the son of the informant, due to which he became unconscious and was taken to hospital where he died.

Submission of learned counsel for the petitioner is that there is no eye-witness to the occurrence except family members of the informant. Further submission is that if viscera report is called for the clear fact will come in picture and there is inordinate delay in lodging FIR.

Heard learned APP also.



Having heard both sides and in view of the facts and circumstances, to my opinion, this is not a fit case for grant of anticipatory bail, rather petitioner should surrender and pray for regular bail, which shall be considered on the basis of submission as above and, if possible, on perusal of viscera report the court below will pass an appropriate order, without being prejudiced by this order, if possible, on the same day.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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