

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37687 of 2018

Arising Out of PS. Case No.-71 Year-2018 Thana- KOILWAR District- Bhojpur

Saheb Paswan, Son of Rampunit Paswan, Resident of Village- Gyanpur, P.S.
Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr. Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 302 of the IPC.

The prosecution case as per the written report of Raju Paswan dated 24.2.2018 is to the effect that his brother Manjeet Paswan went traceless on 23.2.2018. Subsequently, the informant tried to locate him and ultimately he found the dead body of his brother near Gyanpur Chakia badhar. Hence, apprehension was raised against 12 persons including the petitioner since they are on inimical terms with the brother of the informant.

It is submitted by learned counsel for the petitioner that there is no eye witness to the occurrence and only on



suspicion due to enmity the accusation has been levelled. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that the impugned order also does not suggest any direct material against the petitioner.

Learned APP submits that the petitioner is named in the FIR. However, he admits that there is no eye witness to the occurrence.

Considering the fact that the accusation has been levelled in the background of old enmity between the accused persons and the informant's side, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhojpur at Ara in connection with Koilwar P.S. Case No.71 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted by the learned Court below on filing of affidavit that the



petitioner will regularly cooperate in the investigation.

(Dinesh Kumar Singh, J)

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