

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53008 of 2018

Arising Out of PS. Case No.-52 Year-2016 Thana- DANIYAWAN District- Patna

Shankar Paswan S/o Nanda Paswan @ Nande Paswan, R/o Vill.- Bari Kabai,
P.S.- Shahjahanpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149 and 302 of the Indian Penal Code.

The prosecution case, in short, is that the F.I.R. named accused persons along with 100 unknown persons caused death of the brother of the informant.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The deceased is alleged to have committed an accident, in which two persons are said to have died. Subsequently the local people surrounded the deceased and assaulted him, which led to his death. No specific overt act is



alleged against the petitioner. Altogether seven persons are named in the F.I.R. and around 100 unknown persons are alleged to have assaulted the deceased. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

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 Smt. Jabin Jamal, Judicial Magistrate, 1st class, Patna City, Patna in connection with Daniawan P.S. case No.52 of 2016, 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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