

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63705 of 2018

Arising Out of PS. Case No.-177 Year-2018 Thana- DIGHA District- Patna

Subhash Sharma son of Late Ram Chandra Sharma Resident of Hamidpur
Kurji, P.S. Digha, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner, O.P. No. 2 and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302, 120B/34 of the Indian Penal Code.

The prosecution case, in brief, is that nephew of the informant was allegedly brutally assaulted by the accused persons who in course of treatment died.

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 petitioner has been falsely implicated in the present case. There is case and counter case between the parties. As per FIR it is alleged that the deceased had fallen from roof of the house of



the petitioner. He suspects the involvement of the petitioner in the present case. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

From perusal of the postmortem report, it appears that the deceased had sustained injury due to fall from roof of the house in question.

On behalf of the State and O.P. No. 2 , it is submitted that the petitioner is named in the Complaint Case/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 learned Sub Divisional Judicial Magistrate, Patna in connection with Digha P.S. Case No. 177 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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