

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52560 of 2018

Arising Out of PS.Case No. -540 Year- 2016 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Govinda Singh, Son of Kanhaiya Singh, Resident of Mohalla- Gourakshani.
Sasaram, P.S.- Sasaram (T), District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. Ram Niwas Singh, S/o Late Jagdeo Singh, R/o Mohalla- Yadav
Mohalla, Gourakshani, Sasaram, P.S.- Sasaram (T), District- Rohtas.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Dhaneshwar Prasad Gupta, Advocate.
For the State : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The accusation is of killing the son of the informant
against the petitioner and other co-accused persons.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has been made accused in the present
case due to mistake of fact. After investigation, the police has



submitted final form against the petitioner. The present prosecution is based on protest-cum-complaint. There is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned A.C.J.M.-V, Sasaram at Rohtas, in connection with Complaint Case No. 540 of 2016, Tr. No. 522 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

