

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44845 of 2018

Arising Out of PS.Case No. -254 Year- 2018 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Md. Sarfaraz Alam @ Luckky @ Shahnawaj S/o Md. Maskur Alam, R/o
Mohalla- Hussainabad, Sufi Colony, P.S.- Babarganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Kotwali (Tilkamanjhi) P.S.Case no.254 of 2018 registered for offences punishable under Sections 302,120B/34 of the Indian Penal Code.

Petitioner is not named in the FIR and later on his name transpired on the basis of confessional statement of the co-accused.

Submission of the learned counsel for the petitioner is that except confessional statement there is nothing against the petitioner and he was not present there.

Heard learned A.P.P. and the learned counsel for the informant. They have drawn my attention towards para 106 of the



case diary. Confessional statement of Md. Sheru has been recorded which shows hands of the petitioner also and the CDR of mobile number shows that the petitioner was in touch with other accused persons in hiring the criminal in this case.

Having heard both sides and in view of the facts and circumstances, as stated above, and his presence is also required in the investigation, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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