

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54796 of 2018

Arising Out of PS. Case No.-216 Year-2017 Thana- UJIYARPUR District- Samastipur

=====

Bihari @ Govind Poddar, age about 23, son of Fakirchand Poddar, resident of Village- Pachpaika, P.O.+ P.S.- Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shyam Bihari Choudhary, age about 45 years, posted as A.S.I., P.S.- Ujiyarpur, District- Samastipur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Mritunjay Kumar, Advocate
For the State : Mr. Ashok Kumar Singh 1, APP

=====

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 302, 201 of the Indian Penal Code.

The prosecution case, in short, is that on 27.08.2017 the daughter of the informant had left her house and did not return. On 28.08.2017 the informant came to know from the villagers that a dead body of a girl is remaining in the pool. When the informant reached there, he found the dead body of his daughter.

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 is not named in the F.I.R. The name of the petitioner



has come merely on the basis of suspicion. There is no eye witness to the alleged occurrence nor there is any other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has falsely been implicated in the present case due to previous enmity. Prior to the institution of the present case, a U.D. case was also instituted by the father of the deceased, in which there is no allegation against this petitioner.

On behalf of the State, it is submitted that the petitioner is not 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 learned S.D.J.M., Dalsingsarai in connection with Ujiyarpur P.S. case No.216 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

