

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48386 of 2018

Arising Out of PS. Case No.-229 Year-2017 Thana- BALRAMPUR District- Katihar

Noor Sanwar @ Sanny, Son of Late Md. Salim, Resident of Village-
Mallikpur Hat, P.S.- Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 03-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 395, 302, 120B/34 of the Indian Penal Code and u/S 110 of Bihar Prevention and Improvement of Animal Act, 1955.

The prosecution case, in brief, is that the dead body of husband of the informant was found nearby the railway Gumti.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. There is no eye witness to the alleged occurrence. The date of occurrence is 09-08-2017 and the complaint case was filed on 13-10-2017 which was sent to concerned police station u/S 156(3) Cr. P.C. and F.I.R. was lodged after two



months. The delay has not been explained by the prosecution. In paragraph-12 of the case diary, a witness who happens to be Gate Mitra on the railway crossing, has stated that the deceased and the cattle were found dead by the side of the railway line. He has further stated that the death has taken place due to rail accident.

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 learned Additional Chief Judicial Magistrate-VI, Katihar in connection with Balrampur P.S. Case No. 229 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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