

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.579 of 2019

Arising Out of PS. Case No.-211 Year-2018 Thana- SARAI District- Vaishali

JAGARNATH SAH

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bhaskar Shankar, Advocate

For the Respondent/s : Mr. Binay Krishna, Special A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 26-02-2019

Heard the parties.

The appellant seeks anticipatory bail in connection with A.B.P. No. 2463 of 2018 arising out of Sarai P.S.Case No. 211 of 2018, registered for offences punishable under Sections 302/34 of the Indian Penal Code and Section 3 (2) (V) of SC/ST (P.O.A.) Act.

Allegation against the appellant as per F.I.R. is that the informant received information that the petitioner assaulted to the informant and his dead body thrown on the door and thereafter, the petitioner fled away.

Submission of the learned counsel for the petitioner is that in this case, the postmortem report itself shows that the death of the brother of the informant is due to cardiac failure and further the police after investigation submitted a final form and



cognizance has been taken against the petitioner and the appellant has no criminal history.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellant, above named, in this event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1st, Vaishali at Hajipur in connection with Sarai P.S.Case No. 211 of 2018, subject to condition as laid down under Section 438 of CR.P.C.

(Vinod Kumar Sinha, J)

sudha/-

AFR/NAFR	NAFR
CAV DATE	NA
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