

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36759 of 2019

Arising Out of PS. Case No.-213 Year-2017 Thana- NOKHA District- Rohtas

SHIV JI SAH, Son of Late Kailash Sah, Resident of Village - Amathi, P.S.-
Sanjhauli, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-07-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with
Nokha P.S.Case No. 213 of 2017 registered under Section 302
of the Indian Penal Code.

Allegation, as per the FIR, is that a U.D.Case No. 9 of
2015 was registered on 22.10.2015 and during course of
investigation, dead body of unknown was identified as Madan
Mohan Sahu and in postmortem report, the doctor has found
two wounds on the person of deceased. The doctor has opined
that the cause of death is due to excessive bleeding and injury
caused near the head of the deceased by hard blunt substance.
This U.D. case was subsequently converted into FIR, bearing
Nokha P.S.Case No. 213 of 2017, on the basis of suspicion
raised by family members of deceased that deceased was



murdered and thrown in canal. The name of the petitioner has been dragged on the basis of suspicion only owing to the fact that one Bolero vehicle which had met with an accident in the year 2015 in the said canal, was of the petitioner.

Learned counsel for the petitioner submits that petitioner has no connection with the deceased and he is owner of the vehicle, in question, which had met with an accident and it was recovered from the canal. He further submits that driver of the vehicle has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.12.2018 passed in Cr.Misc. No. 61848 of 2018

After having heard learned counsel for the parties and taking into consideration the fact that during course of investigation, no cogent material has come in the light to connect the petitioner with the offence and further driver of the vehicle has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the



learned CJM, Rohtas at Sasaram in connection with Nokha
P.S.Case No. 213 of 2017; subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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