

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70453 of 2018

Arising Out of PS. Case No.-66 Year-2017 Thana- GHOSWARI District- Patna

Shishupal Kumar Son of Bhuneshwari Yadav, resident of Village- Gilani,
Police Station- Sare, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-02-2019 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, 120(B), 201/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons took brother of the informant along with him and later did not return. On search, his dead body was found lying near the road.

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 has falsely been implicated in the present case. The name of the petitioner has transpired in the



F.I.R. merely on suspicion. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case. Though, in course of investigation, one co-accused namely Ramu Paswan was apprehended and his confession was recorded under Section 161 of the Cr.P.C. in which the name of the petitioner does not appear. Paragraph 32 of the case diary indicates that there was no call made by the petitioner to the co-accused Ramu Paswan as per the CDR.

On behalf of the State and the informant, 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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Barh, Patna in connection with Ghoswari P.S. Case No. 66 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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