

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51846 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- RAUTARA District- Katihar

Sanjiv Kumar Poddar @ Tipu Poddar @ Sanjiv Kr. Poddar, Son of Late Muneshwar Poddar, Resident of Mohalla- Tingachhiya, Police Station- Katihar Town, District- Katihar (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Senior Advocate
		Mr. Saket Gupta, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-11-2019 This is an application for grant of anticipatory bail in connection with Rautara P. S. Case No. 38 of 2019, disclosing offences under Sections 302, 120B, read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R. there is allegation against the petitioner that his son was taking meal and at that time on a call, he has gone outside stating that the petitioner has called him. Later on, at 3:00 PM the informant came to know that his son was get dead, went there and saw the dead body and it is alleged that earlier one Bablu Jha and Rakesh Jha has threatened him. It is alleged that petitioner was also used to come and in collusion with the other accused persons, they have killed his son.

Submission of the learned counsel for the petitioner is that even according to the F.I.R., there is no motive for the



petitioner to cause such occurrence, rather motive is against the other accused persons. He has been made accused in this case only on suspicion.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail of the petitioner on the ground that petitioner has called the deceased, thereafter, the dead body was found. Moreover, proclamation has already been issued against the petitioner.

Having heard both sides, in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the petitioner to surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by order of this Court, and if, possible to be disposed of on the same day.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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