

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55827 of 2019

Arising Out of PS. Case No.-110 Year-2018 Thana- PIPRAKOTHI District- East Champaran

SARFARAZ KHAN @ MD. SARFARAZ KHAN Son of Md. Nehal @ Nehal
Mian Resident of Village - Raysingha, P.S.- Motihari Muffasil, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 302, 120(B), 34 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in short is that the husband of the informant was shot dead.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the FIR. His name transpired in this case on the basis of confessional statement of co-accused, Rana Kumar. There is no eye witness to the alleged occurrence. Except for this, there is no other substantive



evidence to suggest the implication of the petitioner in the present case. The other co-accused with similar allegation has been granted anticipatory bail vide Annexure-2/1 of the present application.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Piprakothi P.S. Case No. 110 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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