

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69300 of 2018

Arising Out of PS. Case No.-355 Year-2017 Thana- DAUDNAGAR District- Aurangabad

Raja Satyam Kumar @ Satyam Sharma @ Satyam Kumar, Son of Late
Surendra Sharma, Resident of Village-Shamsher Nagar, P.S.-Daudnagar,
District-Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Sri Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 302 and
120B/34 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Ravindra
Nath Thakur recorded by S.I., Ashish Kumar Sah on 28.12.2017
at 8.15 P.M., is to the effect that on 27.12.2017, the son of the
informant went outside house but did not return. Next morning
at 6.00 A.M., a rumor was floated in the village that the dead
body of the son of the informant was lying near the canal and
when the informant went there, he found the dead body of his
son with sharp cutting injury, leading to registration of the FIR



against unknown. During investigation few persons suggested that the victim was last seen in the company of co-accused Shashi Sharma @ Bharosh Sharma, Gorka Bablu, Devendra Sharma and Satyam Sharma, the petitioner.

It is submitted by learned counsel for the petitioner that actually nobody saw the alleged occurrence and even the informant has not raised suspicion against the petitioner and hence, the FIR was lodged against the unknown and investigation is still pending. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that though the investigation has not been concluded but the petitioner and others were last seen in the company of the victim.

Considering the circumstantial nature of accusation, that too surfaced during investigation and investigation has not been concluded, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from



today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Aurangabad in connection with Daudnagar P.S. Case No. 355 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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