

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13331 of 2020

Arising Out of PS. Case No.-179 Year-2017 Thana- MOKAMAH District- Patna

RADHEY SHYAM KEWAT @ RADHEY KEWAT Son of Dharm Singh
Kewat Resident of Dhanakdob Dabhawan, P.S.- Bhadaur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

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, 201/34 of the Indian Penal Code.

The prosecution case, in short, is that when the informant
along with other police personnel reached the place of occurrence,
they saw a person in injured condition whereafter he was brought to
the hospital where the doctor declared him 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 F.I.R. The name of the



petitioner has transpired on the basis of confessional statement of co-accused. There is no recovery of any incriminating articles from the possession of the petitioner. There is no eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of Sri Manoj Kumar, Judicial Magistrate, 1st Class, Barh, Patna in connection with Mokama P.S. Case No. 179 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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