

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23137 of 2020

Arising Out of PS. Case No.-11 Year-2019 Thana- KOPA District- Saran

ROUSHAN SAH S/o Baidnath Sah Resident of Village-Kopa, P.S.-Kopa,
District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.S.M. Rehman, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-09-2020 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.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 302/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons
stabbed the son of the informant due to which he sustained injury and
later succumbed to the injury..

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. Two accused persons are named in the F.I.R. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confession of co-accused. The name of the petitioner has transpired in course of investigation merely on the basis of secret informant. The source of secret information has not been disclosed by the prosecution. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is not 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) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -II, Saran, Chapra in connection with Kopa P.S. Case No. 11 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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