

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23164 of 2020

Arising Out of PS. Case No.-156 Year-2014 Thana- NARDIGANJ District- Nawada

VICKY KUMAR Son of Mahendra Saw Resident of Village/Mohalla- Station Road, Nawada, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Shailendra Kumar No. 2, 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 and 201 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was on the way, he saw a dead body of unknown person.

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. The petitioner is not named in the F.I.R. After the investigation, the police submitted final form against the petitioner finding the case to be false against him. Subsequently, the Court below differed with the said police report and has taken cognizance against the petitioner. Accepting the material that has come during the investigation, at best, it is a case of last seen.

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 Smt. Sangita Kumari, J.M., 1st Class, Nawada in connection with Nardiganj P.S. Case No. 156/14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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