

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29674 of 2020

Arising Out of PS. Case No.-200 Year-2019 Thana- HATHAURI District- Muzaffarpur

RAUSHAN KUMAR @ POSAN Son of Bajir Pandit Resident of Village-
Berai, P.S.-Hathauri, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma

For the Opposite Party/s : Mr. Panchanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-12-2020 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
defect(s), as pointed out by the office, within a period of four weeks
after 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 Section 414/34 of the Indian Penal Code.

Allegedly, on the tip No offence u/S 307 of the Indian Penal
Code is made out., the informant with other police personnel went to
Hathauri Bazar and caught a person namely Rohit Kumar and upon
his search, in black bag LED monitor, keyboard, mouse and wire
were found and seized.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The name of the petitioner has transpired in this case merely on the basis of confessional statement of co-accused, made before the police. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Deepak Kumar, learned Judicial Magistrate-Ist Class, Muzaffarpur in connection with Hathauri P.S. Case No. 200 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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