

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1040 of 2020

Arising Out of PS. Case No.-35 Year-2019 Thana- KARAMCHAT District- Kaimur (Bhabua)

SHASHANK KUMAR SINGH @ SAGAR SINGH, (Male), aged about 24 years, Son of Ajay Kumar Singh, Resident of Village- Dhawani, P.S.- Karakat, Dist- Rohtas, at present Mohalla Faijalganj, Sasaram Lambedar-Sattedar, Gate, P.S.- Sasaram Town, Dist- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Prasad, Sr. Advocate and Mr. Sada Nand Roy, Advocate.
For the State	:	Mr. Nityanand Tiwari, A.P.P.
For the Informant	:	Mr. Amrendra Narayan Rai, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-06-2020 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 counsels for the petitioner, informant and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 302, 201 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that an information was received that an unidentified dead body of young boy has been thrown on the banks of river *Tendua* and the boy has been



murdered by firearm. The police recovered the deadbody and sent the same for postmortem after preparing the inquest report.

It has been submitted by learned senior counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has transpired in the present case in course of investigation. In course of investigation, the father of the deceased was examined who has disclosed the name of the petitioner. As per his statement, it is a case of last seen. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State and informant, it is submitted that the petitioner is not named in the F.I.R.

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 learned J.M. Ist Class, Kaimur at Bhabua, in connection with Karamchat P.S. Case No. 35 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



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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