

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12567 of 2021

Arising Out of PS. Case No.-283 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

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ARVIND SHARMA Son of Late Shyamdev Sharma Resident of Village -
Jolbigha, P.S.- Karai Parsurai, Dist.- Nalanda at Present residing at Changar
More, New By Pass, P.S.- Ram Krishna Nagar, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Kumar, Adv
For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-11-2021 Let the defect (s) be removed within two weeks of the

complete start of the physical Court.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case

registered for the offences punishable under Section 302/34 of

the Indian Penal Code.

Submission is that only material against the petitioner

is suspicion raised in the FIR. The impugned order has been

passed after perusal of the case diary and that would also reveal

that only suspicion is there against the petitioner. The learned

court below has refused the prayer for anticipatory bail only



considering the seriousness of the nature of allegation.

Learned counsel for the informant opposed the prayer for bail on the ground that during police investigation sufficient material has come against the petitioner.

Considering the fact that only material against the petitioner is suspicion, which cannot take the place of proof, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ram Krishna Nagar P.S. Case No.283 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without



permission of the learned Trial Court.

(Birendra Kumar, J)

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