

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.29751 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- JAMUI District- Jamui

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PRAVEEN KUMAR S/o Sri Kishori Mahto Resident of Village-Bhagwana,
P.S. and District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Mahto

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 08-01-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

The petitioner is apprehending his arrest in a case
registered under Section 302/34 of the Indian Penal Code and 27
of the Arms Act.

Allegedly, in the way, in course of returning after offering
Namaz, the informant's brother namely Md. Meraz was fired by
two unknown persons as a result of which, he sustained fire-
arms injury and died in the way while he was being taken to
hospital for treatment.

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 FIR. His name transpired in this



case on the basis of confessional statement of co-accused. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case. The petitioner has not been put on test identification parade to ascertain his participation in the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is not 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 six 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 learned Chief Judicial Magistrate, Jamui in connection with Jamui (Adarsh) P.S. Case No. 37 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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