

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30777 of 2020

Arising Out of PS. Case No.-132 Year-2011 Thana- MAHISHI District- Saharsa

MD. SATTAR @ ABDUS SATAR Son of Md. Rashid @ Md. Abdur Rashid
Resident of Village - Jalai Punarwas, P.S. - Mahishi (Jalai), District - Saharsa
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar
For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-01-2021 Heard learned counsel for the parties.

This application for anticipatory bail arises out of P.S. Case No. 132 of 2011 for the offence punishable under Sections 302, 379, 302/34 of the Indian Penal Code and Section 27 Arms Act.

Learned counsel for the petitioner has submitted that the police, upon conclusion of the investigation, have submitted final form. The petitioner has, however, not been charge-sheeted as is evident from the final form/report submitted under Section 173/174 of the Cr.P.C. A copy of the report has been brought on record by way of Annexure-2 to this application.

Learned counsel appearing on behalf of the petitioner has submitted that despite the fact that the petitioner has not been sent up by the police for trial after completion of



investigation as against him, the Court below has summoned the petitioner also.

Considering the circumstance that the investigation is complete and the police, in their opinion, have not found any material against him, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saharsa in P.S. Case No. 132 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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