

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8815 of 2021

Arising Out of PS. Case No.-270 Year-2020 Thana- CHHAURADANO District- East
Champaran

=====

SARWAR ALAM Son of Sheikh Nurulain Resident of Village - Khairwa,
P.S.- Chauradano, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

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

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

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.

The petitioner is apprehending his arrest in Chauradano P.S.
Case No. 270 of 2020 registered under Section **302** of the Indian
Penal Code and 27 of the Arms Act.

Allegedly, the informant's grand daughter was shot dead in her
room.

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
has been falsely implicated in the present case. The informant is not
an eye witness to the alleged occurrence. He has raised suspicion
against his son, who is alleged to be of unsound mind and it has been
stated that he has caused death of the grand daughter of the



informant. It is further submitted that as per Section 84 of the Indian Penal Code, no offence could be made out against the petitioner as the informant in the FIR itself has stated that the petitioner is of unsound mind.

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, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Chauradano P.S. Case No. 270 of 2020, 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 eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

