

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60633 of 2019

Arising Out of PS. Case No.-170 Year-2019 Thana- BRAHMPURA District- Muzaffarpur

SANJEEV SINGH @ SANJEEV @ SANJEEV KUMAR Son of Sri Mahanand Singh Resident of Mohall - Race Course, Chakkar Road, P.S.- Kazi Mohammadpur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Parasmani
For the Opposite Party/s	:	Mr.Rana Randhir Singh
For the informant	:	Mr. Shantanu Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 06-09-2021 Heard learned counsel for the petitioner and the State through virtual mode.

The petitioner is apprehending his arrest in Brahampura P.S. Case No. 170 of 2019 initially registered under Sections 307 120(B) of the Indian Penal Code in which later on, Section-302 of the Indian Penal Code was also added.

Allegedly, two unknown persons shot dead the informant's son.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. A case was instituted on the basis of fardbyan of Lalit Mohan Thakur on 14-06-2019 for an offence under Section



307 of the Indian Penal Code. The petitioner was not named in said fardbyan. Subsequently, after a period of two days, second fardbyan was recorded by the same informant on 16-06-2019 wherein the informant raised suspicion against the petitioner regarding his participation in the alleged occurrence. Except for suspicion, there is no other substantive evidence to suggest the participation of the petitioner in the alleged occurrence. The informant is not an eye witness to the alleged occurrence nor there is any independent witness in the case diary. Subsequently, after death of the victim/injured, Section 302 of the Indian Penal Code was also added in the present case.

It has been submitted on behalf of the petitioner that due to political rivalry, the present petitioner has been dragged in the present case.

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, 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, Muzaffarpur, in connection with Brahampura P.S.



Case No. 170 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 eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

A.K.V.//-

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

