

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25320 of 2021**

Arising Out of PS. Case No.-133 Year-2020 Thana- GURARU District- Gaya

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GUPTESHWAR PANDEY @ GUPUT PANDEY @ CHHOTU PANDEY
S/O- RAMESH PANDEY Resident of Village- Deokali, P.S.- Guraru,
District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-03-2022 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.

Learned counsel for the petitioner is permitted to
make necessary correction in paragraph 1 of the petition in
course of the day.

The petitioner is apprehending his arrest in a case
registered under Sections 302, 201 and 34 of the Indian Penal
Code.

The prosecution allegation, in short, is that the dead
body of the son of the informant was found and the informant



has suspicion on the petitioner.

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 falsely been implicated in the present case. The name of the petitioner has transpired merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in this case. There is no eye witness to the alleged occurrence. The case has been instituted after two days of the alleged occurrence. The delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Guraru P.S. Case No. 133/20, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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