

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20301 of 2015

Arising Out of PS.Case No. -160 Year- 2015 Thana -KHAZANIHAT District- PURNIA

1. Sumit Jha s/o Hari Kishore Jha resident of village/Mohalla Line Basti,
behind Panchayat Bhawan, Police Station K Hat, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in K.Hat
(Maranga) P.S.Case no.160/2015 instituted under Section 302 of
the Indian Penal Code and Section 27 of Arms Act, pending in the
Court of learned C.J.M., Purnea.

According to the informant, who is A.S.I. Maranga
police Station, that on the eve of Holi festival while he along
with others were deputed on law and order duty , he heard the
sound of firing from the side of market and saw some persons
fleeing away. On chase two persons were arrested, who disclosed
their names as Cipi @ Rohit kumar Singh and Pappu Kumar Singh
@ Sourav Kumar and they further disclosed the names of the
petitioner and others as the persons fled away. Confessional
statement of co accused Cipi @ Rohit Kumar Singh was recorded

and he has admitted that he fired at the deceased, of course, naming the petitioner and others as his companion.

It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. As per prosecution case, it is submitted that the name of the petitioner has figured in the confessional statement of co-accused Cipi @ Rohit Kumar Singh. As per FIR, it appears that Cipi @ Rohit Kumar Singh has admitted that he has caused injury to the deceased. So far petitioner is concerned, he is one of his companion.

On behalf of the State, it is submitted that the petitioner is named in the FIR and the incident is said to have taken place in market place.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Any how, if the petitioner surrenders in the court below within a period of eight weeks and prays for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection taking into account the submissions made on behalf of the petitioner.

(Sudhir Singh, J)

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