

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22212 of 2015

Arising Out of PS.Case No. -314 Year- 2014 Thana -BRAHMPUR District- BUXAR

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1. Ankoo Singh S/o - Late Bishwanath Singh Village - Grahthakhurd, P.S. -
Brahmpur, District - Buxar.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh

For the Opposite Party : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 10-07-2015 Heard learned counsel for the petitioner, informant
and the learned APP for the State.

Petitioner apprehends his arrest in connection with
Brahmpur P.S. case no. 314 of 2014, registered under Section
302/34 of the IPC and Section 27 of the Arms Act against
unknown.

The brother of the informant was participating in a
'Sataisa' function along with his father and uncle. He was shot at
and thereafter rushed to the hospital where he died.

It has come during the investigation from the
statement of the father and other witnesses that the petitioner was
present along with his brother who was armed with pistol. On his
instigation, his brother fired causing injury on the stomach of the

victim of which he ultimately died.

Contention of the petitioner is that in the statement in the Brahmpur Police Station the informant has not stated about the presence of father. However, in course of investigation, it has come that the father and other person who were present at the place of occurrence saw the petitioner present along with his brother who fired. It has further been submitted that the petitioner has no criminal antecedent.

Taking into account, the allegation and the materials reflected from the impugned order, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Petitioner may surrender and seek regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit and pass appropriate order uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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