

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26447 of 2015

Arising Out of PS.Case No. -728 Year- 2014 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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ANKUR SRIBVASTAVA alias PRANEET SUMER son of Late Pramod
Kumar Verma, resident of Village-Banuchhapar, P.S.- Bettiah Muffasil,
District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. S.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 30-11-2015 Heard both sides.

The petitioner apprehends his arrest in Bettiah Town P.S.
Case No. 728/2014, registered for the offences punishable under
Section 302 and other Sections of the Indian Penal Code and 27 of the
Arms Act.

The informant, brother of the deceased, suspected that the
petitioner and Rakesh Kumar Jaiswal had taken money for selling the
land might have killed his brother.

It is submitted that the petitioner is Country Export Head of
SMS Trading company and he was present in Kerala. The petitioner
had chat with the deceased till 2.25 pm on 10.12.2014, but the chat did
not show any hot exchange or ill-will within the petitioner and the
deceased.

On the other hand, learned counsel for the informant as well as learned Additional P.P. submits that the petitioner had talked with the deceased just before the occurrence. Rakesh Jaiswal was in between the deceased and Ankur Srivastava, the petitioner. The mobile of Rakesh Jaiswal was found in the vicinity of the place of occurrence.

It appears that just before the occurrence the petitioner had chat with the deceased and he assured to make payment just before 3.30 pm. The petitioner also disclosed that Rakesh Jaiswal was sitting in a Bank. When the deceased went to the Bank and came out from the Bank, immediately thereafter he was shot dead.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered taking into consideration that similarly situated co-accused Rakesh Jaiswal has already been granted regular bail vide order passed in Cr. Misc. No. 8695/2015.

(Prabhat Kumar Jha, J.)

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