

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42473 of 2015

Arising Out of PS.Case No. -63 Year- 2014 Thana -SAHJAHANPUR District- PATNA

Sanjay Singh @ Basuri S/o Baliram Singh, resident of village.- Arai, P.S.-
Shahjahanpur, Distt.- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshnand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 13-10-2015 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Shahjahanpur P.S. Case No. 63 of 2014 registered under sections
302, 201 and 120B/34 of the Indian Penal Code and section 27 of
the Arms Act.

It is contended that the petitioner is not named in the FIR
and even in course of investigation no tangible material could be
gathered by the investigating agency against him.

On the other hand, learned counsel for the informant
vehemently opposed the prayer of the petitioner for grant of pre-
arrest bail. He has submitted that in course of investigation it has
transpired that the petitioner and others killed the deceased. He has

submitted that during investigation call details of the petitioner has been collected by the investigating agency which also corroborates the fact that the petitioner was one on the accused involved in the alleged offence. In reply, learned counsel for the petitioner submits that call details collected by the investigating agency do not connect the petitioner with the alleged offence in any manner.

Be that as it may, taking into consideration the serious nature of allegation and the fact that the matter is under investigation and the police may require custodial interrogation of the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, the instant application under section 438 of the Code of Criminal Procedure is rejected.

(Ashwani Kumar Singh, J)

Md.S./-

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