

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46392 of 2014

Arising Out of PS.Case No. -56 Year- 2005 Thana -JHAJHA District- JAMUI

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1. Kodan Modi @ Umesh Modi S/o Baleshwar Modi resident of Village-
Doma Marhar, Police Station- Lazamipur, District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Sangeeta Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection
with Jhajha P.S.Case No. 56 of 2005 registered for the offences
punishable under sections 147, 149 and 302 of the Indian Penal
Code, section 27 of the Arms Act and section 17 of the Criminal
Law Amendment Act.

It has been contended that the petitioner is innocent.
He is not named in the F.I.R. and his name transpired in course of
investigation after one and a half years. Some of the other co-
accused persons, who were put on trial, have already been
acquitted by the court below and as the petitioner was working as
labourer outside the State of Bihar, he was not aware of his

involvement in the aforesaid case.

On the other hand, learned counsel for the State has vehemently opposed the prayer for bail. He has submitted that it is a case in which about 100 unknown criminals belonging to an extremist group had killed the father of the informant after dragging him from the door of the house in a broad day light. The further contention is that the petitioner is an absconder and he cannot take advantage of acquittal of some other co-accused persons, who have faced trial.

Regard being had to the serious nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail is rejected.

(Ashwani Kumar Singh, J)

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