

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25290 of 2014

Arising Out of PS.Case No. -49 Year- 2014 Thana -NARHAT District- NAWADA

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1. Jitendra Singh S/o Late Ram Awtar Singh R/o Village-Sahbajpur Sarai,
P.S.-Sitamadi, District-Nawada.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr.Suraj Narain Pd. Sinha, Sr. Advocate.
Ms. Rina Sinha, Advocate.

For the Opposite Party : Mr. Anil Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 23-06-2015

Heard both sides.

The petitioner apprehends his arrest in connection with Narhat (Sitamadi) P.S. case no. 49 of 2014 registered under diverse penal provisions of the IPC including Section 302 of the IPC.

As per the prosecution case, the deceased was going along with his brother who is informant of the present case. He stopped to talk with the accused persons named in the First Information Report whereas his brother (informant) proceeded further. It is alleged that when the informant returned he found his brother lying in the pool of blood and the accused persons including the petitioner were seen escaping therefrom. The brother disclosed about assault on him by the accused persons

including the petitioner.

Learned counsel for the petitioner submits that deceased himself was veteran criminal and had so many enemies. There is some delay in lodging the First Information Report. The allegation even if accepted are general and omnibus. One of the accuseds of the present case has since been released on regular bail.

Learned APP for the State, on the other hand, opposed the prayer and submitted that the petitioner is named in the First Information Report inasmuch as the deceased also disclosed the name of the petitioner as the member of the group who indiscriminately assaulted him which ultimately caused his death.

In the facts and circumstances of the case, I am not inclined to privilege the petitioner with anticipatory bail. Prayer for bail is rejected.

If the petitioner surrenders and prays for regular bail before the learned Court below, the same shall be considered and disposed of on its own merit uninfluenced in any manner by the present order.

(Kishore Kumar Mandal, J)

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