

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51087 of 2015

Arising Out of PS.Case No. -157 Year- 2015 Thana -CHAINPUR District- BHABHUA (KAIMUR)

=====

1. Madan Musahar @ Madan Ram, S/o Babulal Musahar, R/o Village-Dumraith, P.S. Bhabua, District Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 14-12-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

The informant alleged that he along with other persons was going to search out Mangru Mushahar, but on hearing the sound of firing, he saw the petitioner and others coming towards them from the place of firing. On the next day the informant went there in search of Mangru Mushahar and found him dead. Fire arm injuries were found on his head and other parts of the body.

Learned counsel for the petitioner submits that the informant is not an eye-witness to the occurrence, and the petitioner is a Tola Sevak, and he was taking interest in the

construction of community hall. It is submitted that the informant was a convict, and he had just come out of bail. Some persons might have killed him, but the petitioner has been falsely implicated in the case.

It appears that the informant saw the petitioner, immediately after hearing the sound of firing, coming from that direction along with other accused persons. The other witnesses have also stated the same facts.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Chainpur P.S. Case No. 157 of 2015, pending in the court of Additional Chief Judicial Magistrate, Kaimur at Bhabua. The same is rejected.

(Prabhat Kumar Jha, J)

B.K.Roy/-

U			
---	--	--	--