

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46554 of 2014

Arising Out of PS.Case No. -217 Year- 2013 Thana -AKBARPUR District- NAWADA

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Pawan Singh, son of Late Lakhan Singh, resident of village Baghor, P.S.-
Gobindpur, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Ram Sewak Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 21-05-2015 Heard Mr. Bhavesh Kumar for the petitioner and Mr.
Suresh Prasad Singh, APP for the State.

Petitioner along with two is named in the F.I.R. who is said to have intruded on the dead of night into the house of the informant. It is alleged that petitioner fired on the informant which hit him in his abdomen. When the brother of the informant came in rescue, another co-accused Shiya Singh fired which hit him and subsequently died. Accordingly, Akbarpur P.S. Case No. 217 of 2013 was registered under Section 302 and other allied sections of the Indian Penal Code. The petitioner seeks anticipatory bail therein.

Mr. Kumar contends that there is no injury report respecting the informant. The allegation of assaulting the informant, therefore, creates a serious doubt.

Learned APP, on the other hand, states that the post mortem report of the deceased reveals that he received gun shot injury as alleged in the first information report.

Considering the allegation and the manner in which the occurrence was committed, in my view, the petitioner does not deserve the privilege of anticipatory bail. Prayer is accordingly rejected. Let the petitioner surrender and seek bail in the Court below.

(Kishore Kumar Mandal, J)

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