

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51947 of 2014

Arising Out of PS.Case No. -30 Year- 2013 Thana -MUNGER MUFFASIL District- MUNGER

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1. Babban Yadav son of Late Triveni Yadav resident of Village - Kharhat,
P.S. Sahebpur Kamal, District - Begusarai.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 29-06-2015 Heard both sides.

Petitioner is facing accusations punishable under Section 302 of the IPC and Section 27 of the Arms Act. He is sole accused named in the FIR wherein it has been alleged that the deceased while sleeping on the bank of the pond was shot dead during the mid night. One person, namely, Niranjana Singh on hearing the gun shot rushed to the hut and saw the petitioner fleeing away from the scene of occurrence.

Contention is that wife of the deceased has subsequently levelled allegation against Niranjana Singh. Niranjana Singh was having animosity with the family of the petitioner inasmuch as certain cases are pending .

From the impugned order it appears that some

witnesses in course of investigation have also supported the allegation as levelled in the FIR.

Considering the serious nature of allegation and the facts reflected from the impugned order, I am not inclined to extend the benefit of anticipatory bail to the petitioner. Prayer for bail is rejected.

Let the petitioner surrender and pray for regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit uninfluenced in any manner by the present order.

(Kishore Kumar Mandal, J)

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