

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33925 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -CHHATAPUR District- SUPAUL

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Sudhir Singh @ Sudhir Kumar Singh, Son of Sri Hari Narayan Singh,
Resident of Village - Shankar Patti, P.S. - Chhatapur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Arun Kumar Singh – 5 (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-10-2015

Heard both sides.

The petitioner apprehends his arrest in a case under Sections 302, 34, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the F.I.R. as an accused. The informant stated that her husband had gone to participate in a marriage party but some unknown person shot him dead. It is further stated that Manbodh Yadav and petitioner Sudhir Singh were on inimical terms with her husband. During the course of the investigation, the witnesses, Sunil Yadav, Shiv Shankar Yadav and others have stated that Mukhiyaji fell down on the ground and when the people tried to lift him, Mukhiyaji disclosed that Manbodh Yadav fired shot at him. It is submitted that there is no eye-witness of the occurrence. The petitioner is not

the person, who shot at the deceased. Manbodh Yadav fired killing Uday Kant, Mukhiyaji, but, from perusal of the record, it appears that the petitioner was also accompanying Manbodh Yadav and after firing, Manbodh Yadav along with the petitioner fled away from the place of occurrence.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Chhatapur P.S. Case No. 29/2015. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner without being prejudiced from this order.

(Prabhat Kumar Jha, J)

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