

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46069 of 2014

Arising Out of PS.Case No. -238 Year- 2010 Thana -RAMNAGAR District- WEST CHAMPARAN
(BETTIAH)

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1. Nandu Chaudhary Son of Chandrika Chaudhary resident of village-
Barago Dhus Tola, P.S.- Ramnagar, District- West Champaran

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Suresh Prasad Sharma

For the Opposite Party : Mr. Dilip Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 06-07-2015 Heard both sides.

Petitioner who is named accused apprehends his arrest in connection with Ramnagar P.S. case no. 238 of 2010, registered under Sections 302, 120B/34 of the IPC and Section 27 of the Arms Act.

It has been submitted that on mere suspicion, he has been named in the FIR. The allegation is that while the husband of the informant was sleeping in a hut few accused persons fired at him and caused his death. His son as well as the informant saw two persons fleeing therefrom. Learned Sessions Judge has found from perusal of the case diary involvement of the petitioner. It has been submitted that on mere suspicion he has been named as

an accused. There is no direct evidence. Petitioner was serving outside the Bihar.

Learned APP while opposing the prayer for bail submits that the occurrence was allegedly committed in 2010. The anticipatory bail of the petitioner was rejected on 2011. The petitioner has filed the present application after three years. There is inordinate delay in seeking the relief.

Be that as it may, in my view, petitioner does not deserve the privilege of anticipatory bail. 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 and pass appropriate order uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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