

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49830 of 2015

Arising Out of PS.Case No. -97 Year- 2015 Thana -SONO District- JAMUI

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Santosh Kumar @ Natwar, son of Shankar Paswan resident of village-
Pipradih, P.S. Jhajha District- Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Ashok Kumar Singh 1 (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 05-11-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 420, 384, 506 read with Section 34 of the Indian Penal Code and that apart from other things, the name and involvement of the petitioner of either instigating or making Sonu Kumar the co-accused to work for him stand supported even by an independent witness, namely, Falguni Kumar and that Sonu Kumar also in his confessional statement has stated about the involvement of the petitioner in the offence alleged, this Court is not inclined to grant privilege of anticipatory bail only because there is a oral assertion by the learned counsel for the petitioner that there is enmity between the petitioner and the aforesaid witness Falguni Kumar.

That being so, the prayer for anticipatory bail of the petitioner, namely, Santosh Kumar @ Natwar is rejected.

Nonetheless, since the Sonu Kumar has already been granted bail by the court below, if the petitioner surrenders and prays for regular bail, the same shall be considered by examining the Case Diary as well with regard to allegation against the petitioner vis-à-vis Sonu Kumar specially when the petitioner also claims to have clear antecedent.

(Mihir Kumar Jha, J)

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