

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43707 of 2014

Arising Out of PS.Case No. -104 Year- 2012 Thana -NATHNAGAR District- BHAGALPUR

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1. Naresh Mandal Son of Ram Mandal Resident of Village- Bairiya, P.S.-
Mathnagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Dhirendra Nath Jha

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 10-04-2015 Heard both sides.

Sole petitioner apprehends his arrest in connection
with Nath Nagar P.S. case no. 104 of 2012 instituted under
Section 302 of the IPC and Section 27 of the Arms Act.

The First Information Report was lodged against
unknown immediately after the occurrence. As per the allegation
the brother of the informant as usual went to sleep at the Basa of
Bidra Mandal when some unknown miscreants killed him by
means of fire arms. In course of investigation names of the
petitioner and one Mantu @ Manta Mandal surfaced.

Learned counsel for the petitioner submits that there is
no tangible material in the case diary directly connecting the
petitioner with the offence.

Learned APP referring to the impugned order submits that incriminating materials have come which have been noticed by the learned sessions Judge in the impugned order.

Considering the seriousness of the offence and the facts reflecting from the impugned order, this Court is not persuaded to grant the petitioner privilege of anticipatory bail. Prayer is rejected.

However, if the petitioner surrenders and prays for regular bail before the court below, the same shall be considered on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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