

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2072 of 2016

Arising Out of PS.Case No. -60 Year- 2015 Thana -BHADAUR District- PATNA

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Anant Singh @ Anant Kumar Singh son of Late Chandradeep Singh,
Resident of village- Nadawan, P.S.- Barh, District- Patna. At present 1 Mal
Road, P.S. Sachivalya, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nabin Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 14-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bhadaur
P.S. Case No. 60 of 2015 registered for the offences punishable
under Sections 307, 302 and 120-B/34 of the Indian Penal Code
and Section 27 of the Arms Act.

Allegedly, when Jawahar Singh, the uncle of the
informant was milching cow and the informant was catching hold
the calf, F.I.R. named 12 accused persons came there and opened
indiscriminate firing resulting Jawahar Singh died at the spot and
the informant also sustained injury and he fled away in the house
of neighbour. It is alleged that at the direction of the petitioner, the



accused persons committed the crime, as the petitioner has expressed his willingness to keep the informant as his bodyguard as he was a retired military-man and due to refusal, the crime was committed. During investigation it transpires that co-accused Raghunath Singh was having greedy eyes over the land of Jawahar Singh as he was issueless and further the informant has opposed during the time of election for casting vote in favour of petitioner and then co-accused Bittu Singh has caused threats to informant to kill him. The informant died during treatment.

Submission is of false implication and that due to political rivalry, the petitioner has been implicated in this case, during investigation Uma Devi, the wife of the deceased Jawahar Singh and some other witnesses have stated regarding the innocence of the petitioner. At the time of occurrence, the petitioner was in jail custody in Bhagalpur Central Jail and there is no legal and tangible material against the petitioner and, as such, he deserves sympathetic consideration as he is suffering in custody since 08.08.2015.

The learned A.P.P. seriously opposes the prayer of bail by submitting that the informant who was seriously injured and later on died during treatment, had stated the name of the petitioner that at his direction his men i.e. other co-accused killed

Jawahar Singh and also injured the informant and further the witnesses have stated that as the informant was not in favour of the petitioner to cast vote in his favour and, as such, his man Bittu Singh had caused threat to kill him and subsequently he was injured and later on he died, further the petitioner has also got criminal antecedent.

In the facts and circumstances stated above, considering that the petitioner is named in the First Information Report as conspirator which was lodged by the informant-injured, who subsequently died during treatment, and further that during investigation also it transpires that the informant was opposing for casting vote in favour of the petitioner resulting co-accused threatened to kill him and further the petitioner has got criminal antecedent and, as such this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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