

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11140 of 2016

Arising out of PS.Case No. -119 Year- 2015 Thana -PASRAHA District- KHAGARIA

Rakesh Kumar, son of Tuntun Singh, resident of village- Pasraha, P.s.-
Pasraha, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Radha Mohan Singh, Advocate.

For the Opposite Party : Mr. Sahin Begum(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Pasraha P.S. Case No. 119 of 2015, G.R. No. 2128 of 2015
for the offences instituted under Sections 302/34 of the IPC and 27
of the Arms Act.

The accusation is of killing the brother of the informant
by unknown miscreants.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. The
petitioner is not named in the FIR. Subsequently, in course of
investigation, the name of the petitioner has come. There is no eye
witness to the alleged occurrence.

On behalf of the State it has been submitted that the petitioner has got as many as seven criminal cases against him and the informant on the alleged date of occurrence has named the petitioner in his restatement before the police.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Pasraha P.S. Case No. 119/2015, G.R. No. 2128 of 2015, pending in the court of the learned C.J.M., Khagaria. Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)