

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15453 of 2016

Arising out of PS.Case No. -75 Year- 2015 Thana -KISHUNPUR District- SUPAUL

1. Madhusudan Das @ Sudan Das, Son of Shri Dhaneshwar Das, resident of Village - Tharbhatia, P.S. - Kishanpur, District - Supaul, at present Quarter No. 3, Type - 1, N.H.P.C. Bidyut Nagar, R Satellite Township, Dabgram, District - Jalpaiguri (Darjeeling) West Bengal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amrit Abhijat, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Kishanpur P.S. Case No. 75 of 2015 for the offences instituted under Sections 302/34 of the IPC.

The prosecution story, in brief, is that on 04.03.2015 at about 10.00 P.M. while the informant's mother was sleeping in her house, the petitioner and other co-accused Santosh Das and Lattu Das came and shot dead his mother. Thereafter all the accused persons fled away. The informant's mother was brought to the hospital where she died.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. The alleged date of occurrence is 04.03.2015 and the FIR was instituted on 27.03.2015. No explanation in respect to delay has been made by the prosecution. No specific injury is said to have been attributed against this petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and he was seen fleeing away from the place of occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Kishanpur P.S. Case No. 75/2015, pending in the court of the learned C.J.M., Supaul. Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced by this order.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)