

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34956 of 2016

Arising Out of PS.Case No. -78 Year- 2015 Thana -SIGORI District- PATNA

Harendra Bind, S/o Late Sakaldeep Bind, R/o Village:- Beldarichak, P.S:-
Sigori, P.O:- Sigori, Distt:- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Md. Mushtaque Alam, Advocate
Mr. Ajay Kumar, Advocate
For the State : Mr. Murli Dhar, APP
For the informant : Mr. Vijay Kr. Sinha, Advocate

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 26-10-2016 Heard learned counsel for the petitioner,

learned APP for the State and learned counsel appearing on behalf

of the informant.

Petitioner apprehends arrest in connection with

Sigori P.S. Case No. 78/15 for offences alleged under Sections

302, 201/34 of the Indian Penal Code.

The prosecution case is that the husband of the

informant Shambhu Bind was in the house of co-accused Binod

Chaudhary @ Tarva where petitioners and other co-accused were

also present. They were having food. Thereafter the headless dead

body of the husband of the informant as well as the skull was

recovered.

It has been submitted by the learned counsel for the petitioner that there is no eye-witness to the alleged occurrence and during investigation it has come to light that the sister of co-accused Binod Chaudhary was having illicit relationship with the deceased. He submits that some of the similarly situated co-accused have been granted regular bail by this Court.

However, learned counsel for the informant points out that anticipatory bail application of another co-accused Bharosa Yadav @ Ram Bharosa Yadav @ Ram Bharosa Singh has been rejected by this Court.

Considering the nature of allegation, I am not inclined to grant the petitioner privilege of anticipatory bail. This application is, accordingly, rejected. However, petitioner is directed to surrender before the court of Sri Shamal Kumar, J.M., Danapur in connection with Sigori P.S. Case No. 78/15 and pray for regular bail, which shall be decided on its own merit without being prejudiced with this order.

Application stands disposed of.

(Nilu Agrawal, J.)

Rajesh/-

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