

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38080 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -AKBARPUR District- NAWADA

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1. Pankaj Singh, Son of Nawal Singh.
2. Dinesh Singh, Son of Indar Singh Both are resident of village- Gangata,
Police Station- Akbarpur in the district- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 13-12-2016 A supplementary affidavit has been filed on behalf of petitioners, same be kept on record. In light of the supplementary affidavit, petitioners are permitted to make necessary correction in para-3 of the main petition in course of the day.

Heard learned counsel for the petitioners, informant and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 148, 149, 504, 307 and 302 of the Indian Penal Code and 27 of the Arms Act.

Allegation against petitioners is that due to Panchayat election dispute petitioners along with others abused son of informant and one Bipin Kumar fired shot at him due to which he (deceased) died in course of treatment.

It is submitted on behalf of the petitioners that they have falsely been implicated in the present case. No allegation of tampering of witnesses is alleged against petitioners. General and omnibus allegation has been made against petitioners. No specific



injury has been attributed against petitioners. The main allegation has been made against co-accused, namely, Bipin Kumar, who is alleged to have fired upon the deceased causing his death.

On behalf of the State and the informant, it is submitted that petitioners are named in the F.I.R., members of the unlawful assembly and have actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners, same is rejected.

Any how, if petitioners surrender in the court below i.e., Chief Judicial Magistrate, Nawada, in connection with Akbarpur P. S. Case no. 77 of 2016 within a period of six weeks and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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