

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53258 of 2016

Arising Out of PS.Case No. -94 Year- 2015 Thana -BARAUNI District- BEGUSARAI

Shyam Kishore @ Chhote, Son of Late Babu Saheb Singh, Resident of Village- Madhurapur Dakhintola, P.S. Teghra, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan

For the Opposite Party/s : Smt. Rita Verma

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-12-2016 Heard leaned counsel for the petitioner and the
leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Barauni (Chakia O.P) P.S. Case No.94 of 2015, registered under Sections 302,201/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of the Chief Judicial Magistrate, Begusarai.

The accusation is that Roshan Kumar, son of the informant, had gone to take tea at Chowk, but he did not return back to his house, when informant tried to talk with her son on his mobile then his mobile was found switched off. Later on 14.03.2015, in the morning, she came to know about lying of a dead body near the Ganga river. When she went there then she identified the dead body of her son Roshan Kumar.



Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. as on the basis of the written report of informant Barauni (Chakiya O.P) P.S. Case No. 94 of 2015, under Sections 302/201/34 of I.P.C. was instituted against unknown. In course of investigation after three months of the occurrence, the name of the petitioner was disclosed by one Md. Firoz. Further submission is that, in fact, Md. Firoz has inimical relation with the petitioner as he was running a garage of the motorcycle and after repairing the motorcycle of petitioner made demand of more money and hot talks were exchanged between Md. Firoz and petitioner and due to that reason petitioner has been implicated in this case.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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