

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25174 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -NTPC District- BHAGALPUR

Sunny Kumar Son of Hiralal Mandal resident of Sultanganj, P.S.
Sultanganj, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 18-08-2016 Heard both sides.

The petitioner apprehends his arrest in N.T.P.C. P.S.
Case No. 49/2015, registered for the offences punishable under
Sections 302, 120B and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The informant alleged that his son Nawal Kumar
Kushwaha was killed at 6.45 p.m. by unknown persons while he
was coming after duty from D.M. Plant. He further alleged that
Chandan Kumar and Sunny Kumar brothers-in-law of the
deceased were seen near Satkar Chowk. They were threatening his
son to kill, after death of the wife of the deceased.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. The sister of the

petitioner was wife of Nawal Kumar Kushwaha and she was done to death for which Kahalgaon P.S. Case no. 229/2015 was registered against Nawal Kumar Kushwaha her husband, father-in-law and others that is why the petitioner has falsely been implicated in this case.

It appears that immediately before the occurrence the informant saw the petitioner and his brother near Satkar Chowk where the deceased was killed. During the course of investigation witnesses also stated the facts and supervising authority found the case true.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrender in the court below and pray for regular bail, learned court below shall consider his prayer for regular bail taking into account that Chandan Kumar brother of the petitioner has already been enlarged on regular bail by this court vide order passed in Cr. Misc. 14484/2016.

(Prabhat Kumar Jha, J.)

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