

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9233 of 2016

Arising Out of PS.Case No. -58 Year- 2015 Thana -PIPRIYA SAHAYAK District- LAKHISARAI
=====

Chandan Kumar @ Chandan Singh @ Doma Son of Sri Anil Singh
Resident of village - Walipur, P.S. Pipariya, District - Lakhisarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Abhay Shankar Singh, Advocate
For the Opposite Party : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Pipariya P.S. Case No. 58 of 2015 pending in the Court of
CJM, Lakhisarai for the offences instituted under Sections 302,
201 and 120B/34 of the Indian Penal Code and Section 27 of the
Arms Act.

That the prosecution case in sum and substance is that
the informant gave his fardbeyan on 23.10.2015 that about 15
days back some altercation took place between Bambam Singh
and Ravi Kumar being nephew of Manoj Singh. After 5-7 days
Manoj Singh gave threat to shot Bambam Singh. Thereafter on
22.10.2015 all the accused persons conspired together and asked
Ravish Kumar and Prem Kumar to call his son Bambam Singh for
taking him to petitioner. Then Prem Kumar came at his house on

22.10.2015 at about 6.15 P.M. and took his son Bambam Singh with motorcycle and took wine at the roof of one school. Thereafter they all consumed wine again and as per the conspiracy the son of the informant and Gholtan Singh were killed and the dead body was thrown in Palwa Diara.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the case. There is no direct evidence against the petitioner. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of this petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and he has got criminal antecedent and has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order taking into account the submissions made on his behalf and if possible the same may be disposed of on the same day.

(Sudhir Singh, J)

B.Kr./-

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