

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18421 of 2016

Arising Out of PS.Case No. -454 Year- 2012 Thana -BIHTA District- PATNA

=====

Anuj Kumar Son of Late Abhimanyu Prasad Singh resident of Village Maulla, P.S. Maner, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. N.K. Jha, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 07-09-2016 Heard Mr. N.K. Jha learned counsel for the petitioner, learned counsel for the informant and learned APP.

The petitioner apprehends his arrest in Bihta P.S. Case No. 454/2012, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code Section and under Section 27 of the Arms Act. Later on, Section 302 of the Indian Penal Code was added.

The informant Prabhat Singh named the petitioner along with other accused persons and alleged that on the order of Ram Babu, Yogendra Singh and Bijendra Singh, Anuj Singh (petitioner) took out pistol from his waist and fired on his chest. Later on, Prabhat Singh died during course of treatment.

Mr. N.K. Jha learned counsel for the petitioner submits

that the police submitted charge-sheet against other accused persons, but did not submit charge-sheet against the petitioner. The investigation is still pending against the petitioner. On the place of occurrence itself another story of the occurrence also surfaced. Other accused persons had already been granted anticipatory bail by the learned District & Sessions Judge, Patna vide order dated 10.03.2016 passed in ABP No. 802/2016 and 1089/2016.

It appears that none else than the deceased who is the informant of the case has alleged that it was the petitioner who fired on his chest and consequently the informant died.

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

(Prabhat Kumar Jha, J.)

Vinita/-

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