

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22895 of 2016

Arising Out of PS.Case No. -75 Year- 2015 Thana -KISHUNPUR District- SUPAUL

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Laltu Das, Son of Ramdeo Das, Resident of Village - Tharbitta, Police Station - Kishanpur, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vijay Kumar, Advocate.

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 27-07-2016

Heard both sides.

The petitioner apprehends his arrest in Kishanpur P.S. Case No. 75/2015 registered under Sections 302/34 of the Indian Penal Code.

The informant alleged that he heard sound of firing and when he came out of his room he saw Santosh Das, Sudan Das and Laltu Das (the petitioner) fleeing away from the room of his mother. The informant saw his mother wreathing in pain as she had sustained firearm injury in her cheek. The mother of the informant died in P.M.C.H. during the course of treatment. Learned counsel for the petitioner submits that there is a counter-version. Sugiya Devi lodged Kishanpur P.S. Case No. 36/13 under Section 354 and other sections of the Indian Penal Code against Indrajeet Das (the informant) and his father and, that is why, the

present case has been lodged after one and half months of the occurrence.

It appears that the informant took his mother to P.M.C.H. for treatment and during the course of treatment, she died. The informant made his Fardbeyan in P.M.C.H., thereafter the case was registered and, that is why, the delay was caused in lodging the F.I.R. There are specific allegations against the petitioner and two others that they entered into the room of the mother of the informant and made firing.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Kishanpur P.S. Case No. 75 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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