

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54231 of 2015

Arising Out of PS.Case No. -143 Year- 2015 Thana -KHARAGPUR District- MUNGER

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Suraj Yadav, S/o Wakil Yadav, resident of Village- Laxmipur, P.S.- H. Kharagpur, Distt- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-02-2016 Heard learned counsel for the petitioner, learned counsel
for the Informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Kharagpur (Shampur) P.S. Case No. 143 of 2015 pending in the Court of CJM, Munger for the offences instituted under Sections 341, 324, 326, 307 and 302/34 of the Indian Penal Code.

The allegation against the accused persons to kill a boy aged about 10 years by the accused persons

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner is not named in the FIR. The petitioner's name has appeared in the re-statement of the informant after a period of seven to eight days. Petitioner is said to have falsely been implicated in the present case. From

perusal of para 30 of the case diary, it is evident that the said witness has not named the petitioner.

On behalf of the State and the counsel for the Informant, it has been submitted that the informant in his re-statement has attributed specific allegation against all the accused persons for committing the murder of the deceased and for assaulting the informant.

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.

(Sudhir Singh, J)

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