

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42115 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -HASANGANJ District- KATIHAR

Jakki @ Jakki Mandal S/o Jagdish Mandal Resident of Village- Pokheria,
P.S.- Hasanganj, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-11-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with
Hasanganj P.S. Case No. 32 of 2016 for the offences registered
under Sections 302/34 of the Indian Penal Code.

Diary of the present case was called for, which has
since been received.

Learned counsel for the petitioner submits that the
name of the petitioner has been drawn into the first information
report on the basis of suspicion. Admittedly, there are no eye
witnesses to the occurrence. The petitioner is a student of
Engineering and, therefore, his career would be tarnished if he is
taken into custody.

Learned counsel for the State on perusal of the case

diary submits that it has come on record that prior to the occurrence there had been an altercation at the shop of the deceased between the petitioner and 4-5 others. Thereafter, they had threatened the deceased that he would be done to death. However, independent witnesses have supported the prosecution story as has unfolded during the course of investigation. There is no material on record to show that the petitioner is a student of Engineering nor has that been stated in the application.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

Jagdish/-

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