

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44629 of 2015

Arising Out of PS.Case No. -10 Year- 2008 Thana -KOTWALI District- PATNA

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Anant Singh @ Anant Kumar Singh, Son of Late Chandra Deep Singh,
Resident of Village - Nadawan, P.S. - Barh, District - Patna and at present
Resident of - 1 Mal Road, P.S. - Sachiwalya, District – Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nabin Kumar

For the Opposite Party : Mr. Surendra Pd.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 01-03-2016 Heard learned counsel for the petitioner, learned

counsel for the informant and also the learned A.P.P. appearing

on behalf of the State.

The petitioner is accused in connection with Kotwali

P.S. Case No. 10 of 2008, registered under Section 302/34 and

120 (B) of the Indian Penal Code and Section 27 of the Arms

Act.

The prosecution case is that informant Raja Parikshit

along with his uncle Sanjay Singh and cousin Eklavya proceeded

from house for R.E.O Office at Boring Canal Road as his uncle

Sanjay Singh was a contractor, when he along with uncle

reached at the R.E.O Office at Boring Canal Road, Patna, he saw

seven persons, armed with deadly weapons, present there then



informant and his uncle become frightened and at that time Sachidanand Singh @ Fazo Singh was talking on mobile and after talk, he told that petitioner has ordered him to kill Sanjay Singh. Thereafter, Sachidanand Singh @ Fazo Singh shot fire at Sanjay Singh, who fell down. Thereafter, Manoj Singh, Mukesh Singh, Bhola Singh, Vijay Singh, Randhir Singh and Rajesh Singh also shot fire at Sanjay Singh and fled away from there. The cause of murder is said to be the old enmity with the petitioner.

Learned counsel appearing on behalf of the petitioner submits that the name of the petitioner has been figured in the F.I.R. being the conspirator of the occurrence, except that there is no tangible evidence against the petitioner. Further submission is that the petitioner has been remanded by the Police in connection with Bihta P.S. Case No. 859 of 2014 and thereafter the petitioner has been remanded in the present case on 27.06.2015. In fact, the Police after investigation submitted the chargesheet only against Bhola Singh submitting the Final Form against other rest accused persons and accused Bhola Singh faced the trial vide Sessions Trial No. 1451 of 2008 and he has been acquitted by the Court of Addl. Sessions Judge-VI, Patna on 20th October, 2011. Further submission is that the

petitioner has been implicated in this case due to political rivalry and he is in custody since 27.06.2015.

On the other hand, learned A.P.P. appearing on behalf of the State submits that the petitioner has criminal antecedent and he is involved in 24 other cases.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 10 of 2008 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned.

(Rajendra Kumar Mishra, J)

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