

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14931 of 2016

Arising Out of PS.Case No. -499 Year- 2015 Thana -BUXAR District- BUXAR

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Rahul Kumar @ Rahul Kumar Singh, Son of Sanjay Singh Kushwaha,
Resident of Village - Mahdah, P.S. Buxar (Mufassil), District - Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Satyapal Singh, Advocate.

For the Opposite Party/s : Mr. S.D. Singh Yadav, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 29-06-2016

Heard both sides.

The petitioner apprehends his arrest in Buxar (T) P.S.

Case No. 499/2015 registered under Sections 448, 302, 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the FIR. The informant came to know about the death of his brother and his wife (sister-in-law). During the course of investigation, the name of the petitioner transpired in the case in the confessional statement of Pintu Kumar Singh, son of the deceased. It is submitted that there is no tangible material to show the involvement of the petitioner. The confessional statement is not at all admissible. It is further submitted that Pintu Kumar Singh, son of the deceased, has already been granted regular bail by the learned Sessions Judge vide order passed in B.P. No. 869/2015. It appears that of course

the name of the petitioner came to light in the confessional statement of the son of the deceased Pintu Kumar Singh, who later on confessed that he himself killed his parents with the help of the petitioner, and the CDR of the mobile of the petitioner is also taken out which shows that the petitioner had talked with Pintu Kumar Singh before and after the occurrence and the tower location of both the mobiles was found within one tower.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Buxar (Town) P.S. Case No. 499 of 2015. Accordingly, the same is rejected.

If the petitioner surrenders, the court below shall consider the prayer for regular bail of the petitioner without being prejudiced by this order and taking into consideration that co-accused Pintu Kumar Singh, son of the deceased, has already been enlarged on bail and dispose of the bail petition of the petitioner, if possible, on the same day.

(Prabhat Kumar Jha, J)

Dilip/-

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