

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35818 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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Nagendra Singh Son of Sri Chandrama Singh Resident of Village/Mohalla-
Harnahi, P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate

For the Opposite Party/s : Mr. Mukteshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 17-11-2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Jagdishpur P.S. Case No.74 of 2016 for the offences registered
under section 341, 342, 323 and 307/34 of the Indian Penal Code.

Petitioner is named in the first information report and the
pre-arrest bail of the petitioner is sought on two grounds. Firstly,
the postmortem report does not corroborate the allegation and
secondly, none has seen the actual killing of the deceased as well
as there is delay of ten days in lodging the first information report.

Paragraph 7 and some other paragraphs of the case diary
goes to show that some eye witnesses claimed to have seen the
petitioner and others assaulting the deceased and so far as delay in

lodging the first information report is concerned, the informant has specifically stated in his written statement that after the occurrence, the deceased was taken to hospital and thereafter, he was referred to Patna and the deceased was brought to Patna and information was given to Kankarbagh police station.

Regard being had to the aforesaid facts and circumstances as well as submissions of the parties, I do not feel it proper to extend the privilege of anticipatory bail to the petitioner and accordingly, the prayer for anticipatory bail of the petitioner in connection with Jagdishpur P.S. Case No.74 of 2016 stands rejected. However, this order shall not cause any prejudice to the competent court while considering the regular bail application of the petitioner.

(Hemant Kumar Srivastava, J)

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