

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29344 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Mithu Baitha @ Jangali Baitha son of Late Sona Lal Baitha @ Birendra Baitha resident of Village - Noonfarwa, Police Station - Patahi, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

3 24-10-2016 Heard both sides.

The petitioner apprehending his arrest in Patahi P.S. Case No. 49 of 2015 registered under Sections 364, 302, 201/34 of the Indian Penal Code, has approached this Court for grant of anticipatory bail.

The son of the informant on the relevant date had gone to his mobile shop on motorcycle with his laptop. He did not return thereafter. The following morning, the informant learnt about a dead body lying in the wheat field. The body was found to be the son of the informant. The First Information Report was, however, lodged against unknown.

Contention of the petitioner is that there is no reliable

material available in the case record against the petitioner and hence he deserves anticipatory bail.

On the contrary, the counsel for the State on going through the case diary states that on 24.04.2015, one co-accused was arrested who disclosed the name of the petitioner in the commission of crime. In paragraphs 71 and 72 of the case diary, some other witnesses have also named the petitioner as the accused involved in the case. From the order of the learned Sessions Judge, it would appear, the Investigating Officer, upon conclusion of investigation, found incriminating material against the petitioner and submitted the charge-sheet.

Looking to the seriousness of the allegations and other materials reflected from the record, I am not inclined to extend him the privilege of anticipatory bail.

The prayer is rejected.

(Kishore Kumar Mandal, J)

rohit/-

U		T	
---	--	---	--