

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17083 of 2016

Arising Out of PS.Case No. -164 Year- 2015 Thana -BACHWARA District- BEGUSARAI

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Sanjeev Kumar Roy @ Pappu Jee, s/o- Pawan Kumar Roy, resident of
village Dasaut, P.S.- Hatheri, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Md. Aatur Rahman (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 02-05-2016 Heard Mr. Hemendra Prasad Singh for the petitioner and
Mr. M. Dayal for the State.

Petitioner apprehends his arrest in Bachhwara P.S. Case
No. 164 of 2015 registered under Sections 364, 302, 392 of the
Indian Penal Code and Section 27 of the Arms Act.

The informant is the owner of the tank lorry which used to
ferry diesel/petrol. It is alleged that while the lorry full of diesel
was going to the destination, it was taken over by the accused
persons. The driver and khalasi were done to death. The lorry was
found standing on the Petrol Pump of the petitioner. One
employee of the petitioner was arrested by the Police who later
made statement under Section 164 Cr.P.C. in which he
incriminated the petitioner in the crime.

Contention of Sri Singh is that indisputably the accused was

brought to thana where he was detained for two days. He was picked up by the Police on 8th September, 2015 whereas statement was recorded on 10th September, 2015. Looking to the statement and the previous acts, the Court should suspect the statement.

Learned APP opposed the prayer and contended that apart from the statement of the co-accused, other materials incriminating the petitioner in course of investigation have surfaced which has been noticed by the learned Sessions Judge in the impugned order.

Considering the seriousness of the allegation and the materials reflected from the impugned order, I am not persuaded to extend the privilege of anticipatory bail to the petitioner.

Prayer is, accordingly, rejected.

(Kishore Kumar Mandal, J)

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