

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39547 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -ASHOK PAPER MILL District- DARBHANGA

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1. Khagendra Narayan Singh @ Sonu Son of Chandra Narayan Singh
Resident of Village- Khaira, P.S- Bahadurpur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-10-2016 Heard both sides.

The petitioner apprehends his arrest in Ashok Paper Mill (Pator) P.S. Case No. 60/2016, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that two persons came near his hotel on motorcycle. One person came inside the hotel and thereafter another person came and fired shot at his daughter but the shot hit Dilip Mandal, staff of the informant, who died.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. There is absolutely no material against the petitioner. The accused had concealed his face with towel. The motorcycle of the petitioner was seized and it is alleged

that the motorcycle of the petitioner was used in committing the crime.

From perusal of the case diary it appears that immediately after the occurrence the petitioner was found absent from his house. It transpires that the petitioner lives in the company of Pardeshiya, Vishal Jha and other criminals. Pardeshiya had altercation with the hotel owner. CDR of the accused persons were taken up and from the mobile location of the petitioner and other accused persons it was found that the petitioner and other accused persons were present near the place occurrence during the time of occurrence. The motorcycle of the petitioner is used in committing the crime. The informant claimed to identify the accused.

Considering the facts aforesaid and the fact that there is strong suspicion against the petitioner in which the informant claimed to identify the accused, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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