

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41167 of 2016

Arising Out of PS.Case No. -728 Year- 2014 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Ankur Srivastava @ Praneet Sumer, Son of late Pramod Kumar Verma,
Resident of - Banuchhapar, PS Bettiah Muffasil, District West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 13-12-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody in connection
with Bettiah Town P.S. Case No. 728 of 2014 for the offences
punishable under Sections 302/120B of the Indian Penal Code and
Section 27 of the Arms Act.

According to F.I.R. someone committed murder
of Manoj Kumar Gupta, the brother of the informant. The
petitioner is suspected to have committed the crime alleged as the
petitioner was having hot exchange of words with Manoj Kumar
Gupta for payment of money.

Submission of the petitioner is that only
suspicion is there against the petitioner and the petitioner had
approached this Court for anticipatory bail in Cr. Misc. No.26447



of 2015, wherein this Court refused the prayer for anticipatory bail with direction to surrender within four weeks and prayed for regular bail, which shall be considered taking into note that similarly situated co-accused Rakesh Jaiswal has already been allowed regular bail by a coordinate Bench of this Court on 03.03.2015 in 8695 of 2015.

Learned counsel for the informant opposed the prayer for bail on the ground that some of the eyewitnesses in paragraphs 227, 228, 229 and 230 of the case-diary have supported the prosecution case as eyewitness of the occurrence of murder and have alleged that the petitioner fired shot causing death of the deceased.

The petitioner submitted that those statements were recorded after more than one year of the occurrence.

Considering the fact that similarly situated co-accused have been allowed regular bail, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah/Successor Court, in connection with Bettiah Town P.S. Case No. 728 of 2014.

(Birendra Kumar, J)

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