

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58018 of 2015

Arising Out of PS.Case No. -151 Year- 2013 Thana -UDWANTNAGAR District- BHOJPUR

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1. Niranjan Kumar Singh @ Guddu Son of Ram Pratap Singh, Resident of
Village - Sarathuwa, P.S. - Udwant Nagar, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 18-05-2016 Heard both sides.

The petitioner apprehends his arrest in a case under
Section 302/34 of the Indian Penal Code and under section 27 of
the Arms Act.

The anticipatory bail petition of petitioner was earlier
rejected by this court vide order dated 20.05.2015 passed in Cr.
Misc. No. 16826 of 2015.

Mr. Amarnath Dev, the learned counsel for the
petitioner, submits that father's name of the petitioner has wrongly
been mentioned in the FIR. The petitioner was not even present on
the date of occurrence and when the petitioner knew about the
rejection of his anticipatory bail, he was going to surrender but an
order from his Commanding Officer came asking the petitioner to

join. The petitioner is in military service and is posted in Leh. It is further submitted that on the request of Commanding Officer, the Circle Officer went to the land of petitioner for measurement and demarcation. The informant and others wanted to grab the land of the petitioner that is why the petitioner has falsely been implicated in this case but from perusal of the FIR itself it appears that the informant made very specific allegation against the petitioner that it was he who fired causing death of the deceased on the spot.

I do not find any fresh ground for reconsideration of prayer for anticipatory bail. Accordingly, the anticipatory bail petition is rejected.

If the petitioner surrenders in the court below, i.e., learned Chief Judicial Magistrate, Bhojpur, Ara in Udwant Nagar P.S. case No. 151 of 2013, within four weeks from the date of receipt of this order, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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