

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2674 of 2016

Arising Out of PS.Case No. -212 Year- 2015 Thana -RAGHUNATHPUR District- SIWAN

- =====
1. Kedar Singh @ Kedar Nath Singh son of Late Nageshwar Singh
 2. Haran Singh son of Late Nageshwar Singh
 3. Dhananjay Singh son of Haran Singh, All residents of Village- Siuri, Police Station- Asaon, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajgiri Singh

For the Opposite Party/s : Mr. Sanjay Kr.Panday(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-03-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Raghunathpur P.S. Case No. 212 of 2015 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Diary in the present case was called for which has since been received.

From perusal of the First Information Report, it reveals that the petitioners have been specifically named as assailants of the deceased.

Learned counsel for the petitioners submits that there are various contradictions in the First Information Report and the post mortem report does not corroborate the allegations as made out therein. He further submits that in the daily newspaper neither the name of the assailants nor the cause of occurrence was published. He further submits that villagers have also not identified these petitioners.

Learned counsel appearing on behalf of the informant submits that the present case is one in which the petitioners had killed the father of the informant by firing from very close range. The injuries as described in the post mortem report clearly show that the firing is made from very close range. There is also a history of enmity that the father of the informant had been threatened earlier as the informant had married with the daughter of one of the accused persons which resulted in the present incident.

Having considered all the facts and circumstances and there being sufficient material in the case diary, I am not inclined to grant anticipatory bail to these petitioners. It is accordingly rejected.

(Anjana Mishra, J)

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