

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17124 of 2016

Arising Out of PS.Case No. -110 Year- 2015 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Tabrez @ Md. Tabrez Alam Son of Md. Suleman Mian Resident of
Village - Chorma, Police Station Pakari Dayal, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 05-07-2016 Heard both sides.

The petitioner apprehends his arrest in Pakarideyal
P.S. case No. 110 of 2015 under Section 302, 120B of the Indian
Penal Code.

The petitioner is not named in the FIR. The
Chowkidar on recovery of dead body of an unknown person from
a litchi orchard lodged the case. During the course of
investigation, the deceased was identified by one Shailendra
Pandey. The father of the deceased disclosed that his son had gone
along with Anand Kumar, Islam, Sabir, Deepak Kumar and one
unknown boy on a motor cycle. The mobile of the deceased was
found switched off. During the course of investigation, it

transpired that from mobile of the petitioner repeated call was made to the mobile of deceased on the fateful day and the deceased went there. The C.D.R. location of the petitioner is also taken whereafter one Mukesh Kumar was arrested and Mukesh Kumar in his confessional statement named the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned ACJM-V, East Champaran at Motihari in Pakarideyal P.S. case No. 110 of 2015, and prays for regular bail, 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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