

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2701 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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Mithlesh Singh @ Mithilesh Kr. Singh son of Hari Mohan Singh, Resident
of Village - Karmanchak, P.S. Bhawnaipur (Balua), District - Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 16-02-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Bhawanipur (Balua) P.S. Case No. 89 of 2016 registered for the offence punishable under section 302/34 of the Indian Penal Code.

The petitioner is named in the First Information Report along with other co-accused, who have killed the husband of the informant by assaulting with sharp cutting weapon and when the informant asked from her husband, he told the names of the petitioner and others due to election dispute.

Submission is of false implication and that during investigation, the father of the deceased and other witnesses have been examined and they have not stated the name of the petitioner.



The deceased before his death, has not stated the name of the petitioner before them.

The learned counsel has referred para 8, 9, 10, and 11 of the case diary. Further it has come that the deceased used to leave his animals to graze the field of others and for that, there was an altercation and the victim was killed by Awadhesh Singh, Bablu Singh and Bipin Singh vide para 45, 46 and 47 of the case diary.

The learned A.P.P. opposed the prayer of pre-arrest bail by submitting that the petitioner is named in the First Information Report and before the informant, her husband before the death, has stated the name of the petitioner also and further the prayer of bail of Bipin Singh and Awadhesh Singh have already been rejected by another co-ordinate Bench of this Court.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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