IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12784 of 2017

Arising Out of PS.Case No. -244 Year- 2016 Thana -CHOUTARWA District-WESTCHAMPARAN(BETTIAH)

==========

Sachin Sharma @ Sachin Kumar Sharma, son of Lalbabu Sharma, resident of Village- Briti Bathwariya, P.S.- Bathwariya, District- West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

==========

Appearance :
For the Petitioner/s : Mr. Prithvi Nath Mishra
For the Opposite Party/s : Mr. Surendra Prasad Singh

==========

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 11-04-2017 Heard leaned counsel for the petitioner and the leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bathwariya P.S. Case No. 244 of 2016, registered under Sections 302, 201 and 120-B of the Indian Penal Code, pending in the court of the Addl. Chief Judicial Magistrate, Bagaha, West Champaran.

The accusation is that on 01.10.2016 at 9.00 P.M. the son of the informant went to see the picture along with Mithilesh Sharma, Alok @ Bittu Sharma and Krishna Sah, but the son of the informant did not return to his house. Thereafter, the informant started searching his son, but no trace was found. Thereafter, informant raised suspicion regarding murder of his

WEB COPY

son by Mithilesh Sharma, Alok @ Bittu Sharma and Krishna Sah.

Learned counsel for the petitioner submits that, in fact, the occurrence is of 01.10.2016, but the F.I.R. has been lodged on 03.10.2016 without giving any reasonable explanation of lodging the F.I.R. after two days of the occurrence. Further submission is that petitioner is not named in the F.I.R. rather, his name has been disclosed by co-accused Mithilesh Sharma and Alok @ Bittu Sharma in their confessional statement having hand in the murder of the son of the informant.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trail Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

manish/-

U		T	

WEB COPY