

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4614 of 2017

Arising Out of PS.Case No. -16 Year- 2015 Thana -NARARI KALA KHURD District-
AURANGABAD

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1. Suresh Singh, Son of Ram Nandan Singh, Resident of Village-Mahar,
P.S. Jalpa, District-Jalpa, Jharkhand

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar No. 1, Advocate

For the Opposite Party : Mr. Sri Narsingh Tanti (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Narari Kala Khurd P.S. Case No. 16 of 2015, registered for
the offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

Allegedly, the petitioner and two other F.I.R. named
accused persons provided excessesiv drink to Umesh
Chndravanshi, the husband of the informant and took away with
them, at the time of taking cigarette, there was exchange of talk
and then the petitioner and two other co-accused killed the
husband of the informant after thrashing with stone and threw the
dead body. In the morning, the dead body was recovered and
thereafter the case was lodged.



Submission is of false implication and that the informant is not an eye-witness of the occurrence. During investigation no eye-witness has come forward to say that the petitioner killed the deceased, besides suspicion there is nothing against the petitioner. The allegations are general and omnibus in nature and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that co-accused Guddu Kumar @ Anil Kumar has confessed his guilt and in his confessional statement has stated the name of the petitioner also, on the basis of his confessional statement blood stained stone and blood stained soil were recovered, other witnesses supported regarding the company of the petitioner with deceased.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with Narari Kala Khurd P.S. Case No. 16 of 2015, pending in the Court of learned Chief Judicial Magistrate, Aurangabad.

(Jitendra Mohan Sharma, J.)

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