

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45437 of 2016

Arising Out of PS.Case No. -142 Year- 2015 Thana -BAHADURPUR District- PATNA

=====

1. Rohit Kumar Pandey Son of Sri Mithleshwar Pandey resident of village -
Daulachak Kashichak, Police Station Kashichak, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kalyan Shankar

For the Opposite Party/s : Mr. Bharat Bhushan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-02-2017 The petitioner is apprehending his arrest in connection with Bahadurpur P.S. Case No. 142 of 2015, registered for offences punishable under Sections 364A, 302, 364, 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the petitioner's name has surfaced in this case only on the basis of suspicion and except that there is nothing so as to implicate him in the present case and the specific allegations has been made against one Dilkhush Singh.

Learned counsel for the State opposed the prayer for bail and submitted that from perusal of the case diary, it appears that several co-accused has named this petitioner and also other witnesses has supported the case of the prosecution.



Having heard both sides, considering the facts and circumstances of the case, the nature of offence and also the fact that there is sufficient material available in the case diary so as to show the involvement of the petitioner in the present case, I am not inclined to grant the petitioner, the privilege of anticipatory bail, it is accordingly rejected.

However, if the petitioner surrenders before the Court below and pray for regular bail, his application shall be considered by the court below after taking into account the submission of learned counsel for the petitioner that the petitioner's name has come in this case only on the basis of confessional statement and also after considering the materials available on record, thereafter the court below shall pass an appropriate order, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

sunil/-

U		T	
---	--	---	--

