

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 16440 of 2017

Arising Out of PS.Case No. -209 Year- 2015 Thana -SHEIKHPURA District- SHEIKHPURA

=====

Rohan Kumar @ Sudhanshu Shekhar @ Rohan Singh S/o Vinod Singh @
Ram Vinod Singh Resident of Village- Kosara, P.S.- Sheikhpura
(Kusumbha O.P.) in the District of Sheikhpura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Smt. Sangeeta Sharma

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 06-07-2017 Heard Sri Sanjeev Kumar, learned counsel for the
petitioner and Smt. Sangeeta Sharma, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Sheikhpura P.S. Case No. 209 of 2015 registered for offence under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act, 1959, has prayed for grant of bail in the event of his
arrest or surrender.

Learned counsel for the petitioner submits that though
petitioner was named in the F.I.R., during investigation, it was
found that petitioner at the relevant time was in judicial custody
and this was the reason that police after investigation exonerated
the petitioner and submitted final report, however; the learned



Magistrate, differing with the police report, has taken cognizance of offence. He further submits that some of the accused have already been extended the privilege of anticipatory bail. On aforesaid ground, he has made a prayer for grant of anticipatory bail.

However, on going through the F.I.R., it is evident that informant is none else but wife of the deceased, who made specific statement that in her presence, this petitioner fired, which hit on the chest of her husband and he died.

Considering the fact that in the F.I.R. itself there is specific accusation, there is no reason to extend the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

Anay

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

