

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56996 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -GOPALPUR District- PATNA

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Shankar Prasad @ Manak Prasad, S/o late Chhathu Bhagat, R/o Village-
Nandlal Chapra, P.S.- Ram Krishna Nagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indra Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 18-12-2017 Heard both sides.

The petitioner apprehends his arrest in connection with Gopalpur P.S. Case No. 6 of 2017, registered for the offences punishable under Sections 363 and 365 of the IPC. Later on Sections 302, 201 and 34 IPC were added.

The informant alleged that he along with his brother went for fishing in the pond, situated near Manas Gas Agency, but one person, namely, Shankar, assaulted him. The informant fled away, but his brother did not come.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The petitioner has not been named in the First Information Report. During course of investigation, one



Ram Pravesh Kumar, the son of the informant, was apprehended and he confessed his guilt stating therein that the petitioner and others assaulted the deceased and threw the dead-body in a pond. In pursuance of the said confession made by Ram Pravesh Kumar, the dead-body of the deceased was recovered from the pond. It has further been submitted that said Ram Pravesh Kumar, Pintu and one Devendra Ravidas, who are alleged to have confessed, have already been granted regular bail *vide* orders passed in Cr. Misc. No. 33637 of 2017, Cr. Misc. No. 34554 of 2017 and Cr. Misc. No. 15618 of 2017. It has also been submitted on behalf of the petitioner that he is an old man, but from the order of learned Sessions Judge it appears that none than the son of the petitioner confessed his guilt, disclosing that the petitioner also assaulted the deceased and in pursuance of the aforesaid confession, the dead-body of the deceased was recovered from the pond.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. The same is, accordingly, rejected.

If the petitioner, above named, surrenders before the court below, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court, taking into account that Ram



Pravesh Kumar, Pintu and Devendra Ravidas have already been granted regular bail and dispose of the bail application preferably, if possible, on the same day.

(Prabhat Kumar Jha, J)

Praveen-II/-

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