

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1609 of 2018

Arising Out of P.S.Case No. -72 Year- 2015 Thana -PRATAPGANJ District- SUPAUL

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Sadanand Kamait, Son of Late Nago Kamait, Resident of ward No.14,
Garhia, Police Station-Pratapganj, District-Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun, Advocate

For the Opposite Party : Mr. Md. Ashlam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 01-02-2018

Heard.

The petitioner apprehends arrest in connection with Pratapganj P.S.Case No.72 of 2015 pending in the Court of CJM, Supaul registered for an offence under Section 302 and other Sections of the IPC as well as 27 of the Arms Act.

It has been submitted that the petitioner is neither named in the FIR nor there is any specific allegation against him. The case has been registered against four unknown miscreants who followed the informant and the deceased and committed murder by causing fire arm injury. The petitioner and the informant are resident of same village but the case has been lodged against unknown. The petitioner has been implicated on account of land dispute and village politics and so he deserves anticipatory bail.



However, learned APP opposed the submissions.

From perusal of case diary, I find that this petitioner was at inimical term with the deceased. The petitioner was cultivating three bighas land belonging to one Laddu Khusgoie, son of Mahendra Prasad Khusgoie. The deceased got one bigha land out of said three bighas land, mortgaged in favour of his sister Karo Devi for a consideration of Rs.40,000/-. After the said mortgage, the petitioner started hurling threat of dire consequences and on several occasion, he had quarreled with the deceased. It further appears that on the date of occurrence, this petitioner had scuffled with the deceased. I find that a large number of witnesses have supported the complicity of this petitioner in commission of murder of deceased vide paras-48, 49, 51 and 53 of the case diary.

Considering the materials in the case diary against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail is rejected.

(Sanjay Kumar, J)

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