

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11102 of 2018

Arising Out of PS.Case No. -165 Year- 2017 Thana -NAUBATPUR District- PATNA

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Sanjeev Kumar S/o Sunil Upadhyay @ Sunil Kumar Upadhyay @ Sunil Kumar Kumar Upadhya, R/o Mohalla- Kharanja Road, Mainpura, P.S.- Danapur, District- Patna and Present Munan Sadan Chesira Chesira Home Road, Dipa Toli, Bariyatu, P.S.- Ranchi Sadar, District- Ranchi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-03-2018 Heard learned counsel for the petitioner and learned A.P.P.

Petitioner apprehends his arrest in Naubatpur P.S. Case No.165 of 2017 instituted for the offence under Section 302, 34 of the I.P.C. and Section 27 of the Arms Act.

There is allegation in the written report that on 14.06.2017 at 2.00 P.M. brother of the informant Sabhapati Upadhyaya informed the informant on mobile that their father and mother had been shot dead by this petitioner along with other co-accused, namely, Sunil Upadhyaya, Vidhya Bhushan Upadhyaya, Vikas Pathak. Sabhapati Upadhyaya in paragraph 12 of his statement recorded in the case diary has named this petitioner and



also stated that he saw this petitioner running away with other accused persons. Another witness Siyamani Devi in paragraph 13 of her statement recorded in the case diary has stated that when she came out of her house on hearing some sound of firing she saw that Sabhapati Upadhyaya was shouting and his father and mother were lying dead in pool of blood at his door and also saw accused Sunil Upadhyaya along with other three accused persons having armed with firearm running away on motor cycle. Doctor in the post mortem report has also opined death by firearm.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

In the facts and circumstances of the case, This Court is not inclined to grant anticipatory bail to the petitioner.

The application for grant of anticipatory bail is accordingly rejected.

(Sanjay Priya, J)

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