

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48592 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- WARISLIGANJ District- Nawada

Shiv Nandan Chauhan S/o Late Buddhu Chauhan, R/o Vill.- Ziapur, P.S.- Warsaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Prem Ranjan Kumar
For the State	:	Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2018 Counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the petition.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in connection with Warsaliganj P.S. case No.48 of 2018 registered under Sections 307/34 of the Indian Penal Code, pending in the court of C.J.M., Nawada. Later On, Section 302 of the I.P.C. has been added.

Allegation is that the accused persons including the petitioner entered into the house of the informant and opened fire on her husband and fled away by resorting firing indiscriminately. Then she brought her husband to the Hospital for treatment.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner



has falsely been implicated in the present case. The present case is in retaliation to the earlier case instituted by the petitioner's son, which is Annexure-2 to the present application. The death is alleged to have taken place after 24 days. The F.I.R. has been instituted after eight days of the occurrence.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The specific allegation has been made against the petitioner for firing upon the deceased causing injury on his head which led to his death.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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