

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.25509 of 2018**

Arising Out of PS.Case No. -121 Year- 2016 Thana -PAKRIDAYAL District- EASTCHAMPARAN  
(MOTIHARI)

=====

1. Kundan Singh @ Kundan Kumar, son of Uday Narayan Singh, resident  
of Village- Ajgari, P.S.- Pakaridayal, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Advocate

For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

6 03-08-2018

Heard the parties.

The petitioner seeks anticipatory bail in connection with  
Muffasil P.S. Case No. 121 of 2016, registered for offences  
punishable under Sections 147, 148, 149, 302, 307, 120B/34 of  
the Indian Penal Code and 27 Arms Act.

As per F.I.R., allegation against the petitioner along  
with six named accused persons entered into the gate of the house  
armed with modern weapon carbine and Nalkatua and met  
indiscriminate firing on the father, mother, nephew and other  
family members of the informant, causing death of four persons  
and they fled away.

Submission of the learned counsel for the petitioner that



the petitioner has been falsely implicated in this case and during course of investigation, the mobile was recovered by the police, does not belong to the petitioner. It is further submitted that the petitioner is not named in the F.I.R. and the name of the petitioner surfaced on the confessional statement of the co-accused persons.

Learned A.P.P. opposes the prayer for bail.

In view of allegation against the petitioner, above named, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

Sudha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

