

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47776 of 2018

Arising Out of PS.Case No. -162 Year- 2017 Thana -BIRPUR District- SUPAUL

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Sibgatullah S/o Abdulhai, R/o Vill./Mohalla- Miniootty, P.S.- Vengara,
District- Malappuram (Kerala).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Birpur
P.S.Case No. 162 of 2017 registered for the offences punishable
under Sections 302, 201, 120B and 379 of the Indian Penal Code.

Son of the information was missing and later on his dead
body was found and it is suspected that petitioner has killed the
deceased.

Submission of learned counsel for the petitioner is that
except suspicion there is nothing against the petitioner and it is
said that petitioner was seen along with the deceased but petitioner
has nothing to do with the alleged occurrence. Further submission
is that FIR named accused persons have been granted bail.

Heard learned APP also, who has opposed the prayer for



anticipatory bail stating that paragraphs 23 and 24 of the case diary show that just after the occurrence the petitioner was seen near the place of occurrence.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner.

However, if petitioner surrenders and makes prayer for regular bail, the same shall be considered keeping in view the submission that other accused persons have been granted bail.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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