

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33625 of 2018

Arising Out of PS. Case No.-244 Year-2018 Thana- SASARAM NAGAR District- Rohtas

Satyendra Kumar @ Satyendra Kumar Maurya @ Satyendra Mahto S/o Sheo
Narayan Singh @ Sheo Narayan Mahto, R/o Mohalla- Basti More Bhartiganj,
P.S.- Sasaram (T), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjay Kumar Pandey No-5, Adv.
For the State	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-09-2018 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 Sasaram Town P.S. case No.244 of 2018 registered under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act, pending in the court of Chief Judicial Magistrate, Rohtas, Sasaram. Later on, Section 302 of the I.P.C. has been added.

Allegation is that the accused persons including the petitioner came on a motorcycle and fired at the deceased causing his death.

It has been submitted on behalf of the petitioner there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the



present case. There is no other substantive evidence to suggest the implication of the petitioner in the present case nor there is any eye witness to the alleged occurrence. There is an admitted land dispute between the parties. For the said reason the petitioner has been made accused in the present case. The deceased is a history sheeter.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. Extra judicial confession has been made by the deceased to his wife and the concerned Police Officer, which is evident from paragraph 2 of the case diary. As per the statement of the witnesses in paragraph 10 and 11 of the case diary, the petitioner is one of the assailant along with co-accused Sonu Kumar and one unknown. The witnesses are eye witness to the alleged occurrence. Prayer for anticipatory bail of co-accused Sonu Kumar has already been rejected by a co-ordinate Bench of this Court vide Cr.Misc.No.31045 of 2018.

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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