

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46565 of 2018

Arising Out of PS.Case No. -117 Year- 2017 Thana -NAWAKOTHI District- BEGUSARAI

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1. Kamal Singh @ Kamal Kumar Singh S/o Duna Singh @ Dhuna Pd.
Singh, R/o Vill.- Pahsara, P.S.- Nawkothe, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 25-10-2018 Heard learned counsel for the petitioner and learned APP for the
State.

The petitioner is apprehending his arrest in a case registered under Sections 141, 148, 149, 341, 342, 302, 120(B) of the Indian Penal Code, 27 of the Arms Act and Sections-3 & 4 of Explosive Substance Act.

The prosecution case, in brief, is that while the informant was returning with his son and daughter-in-law, the accused persons surrounded them and on the order of Tuna Singh, Aako Singh fired upon the son of the informant, who succumbed to the injuries.

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



petitioner has been falsely implicated in the present case due to previous enmity. No specific overt act has been attributed against the petitioner. General and omnibus allegation has been made against the petitioner. The allegation of firing is against co-accused namely Akku Singh and Bambam Singh.

On behalf of the State and the informant, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The petitioner along with other are said to have assaulted the deceased with iron rod and stone. The allegation made in the FIR is corroborated by the postmortem report.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner in connection with Nawkothi P.S. Case No. 117 of 2017 is rejected.

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

(Sudhir Singh, J)

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