

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34587 of 2018

Arising Out of PS.Case No. -43 Year- 2017 Thana -CHANDRADEEP District- JAMUI

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1. Kamlesh Yadav @ Kamlesh Kumar son of Parameshwar Yadav,
Resident of Village- Fulchodh, P.S.- Ariyari, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-08-2018 The petitioner is apprehending his arrest in connection with Chandradeep P.S. Case No. 43/2017, registered for offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and others is of committing murder of the father of informant.

It has been submitted on behalf of the petitioner that he is not named in the F.I.R., his name surfaced in this case during course of investigation only on the basis of suspicion and though it is alleged that one mobile with sim card has been recovered but the same does not belong to the petitioner.

Learned counsel for the State opposed the prayer for bail on the ground that para -37 of the case diary shows that though the



name of the sim holder is different but the photograph of the petitioner is there on the application for sim and, therefore, the complicity of the petitioner cannot be ruled out in the occurrence.

Having heard both sides, considering the facts and circumstances of the case and the nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioner. This application is accordingly dismissed.

However, the petitioner may surrender before the court below and pray for regular bail, which will be decided by the court below on the merit of the case without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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