

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39359 of 2018

Arising Out of PS. Case No.-84 Year-2018 Thana- ITADHI District- Buxar

Vishwanath Singh, Son of Ramayan Singh, Resident of Village- Unwas,
P.S.- Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 17-07-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Itarhi P.S. case no. 84 of
2018 instituted for the offence under Section(s) 302 and 201/34 of
the Indian Penal Code.

In the written report, it is alleged that elder brother of the
informant went from the house but but did not return. It is further
alleged that on 5.4. 2018 at about 2.30 P.M. his brother was seen
with this petitioner and four unknown person. It is alleged that his
brother was dealing in cattle business. It is further alleged that
informant got information on 9.4. 2018 at about 8 O'clock that a
dead body was lying in a Well situated in the field towards south of
village Kadipur. He along with his family members reached at the
place of occurrence and saw the dead body of his elder brother
Radheshyam Singh. As such, there is specific allegation against this
petitioner that brother of deceased was seen with him and four



unknown person.

Learned counsel for the petitioner has mentioned in paragraph no.3 of the bail petition that petitioner has no criminal antecedents.

Learned counsel for the informant has appeared and opposed the prayer for bail. It has been further submitted that wrong information has been given in para 3 of the bail petition by suppressing the correct facts. Three cases are pending against the petitioner. The learned counsel for the petitioner has thereafter filed supplementary affidavit stating therein that two criminal cases are pending against the petitioner. In the supplementary affidavit also the petitioner has not given correct information with respect to third case pending against him.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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