

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.200 of 2019

Arising Out of PS. Case No.-183 Year-2018 Thana- BAHADURPUR District- Patna

Pinku @ Namit (male) aged about 25 years son of Anil Kumar Singh @ Anil Singh, resident of village-Bahadurpur, PS-Bahadurpur, District-Patna-800016.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh

For the Opposite Party/s : Mr.Md. Sufiyan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

6 13-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Bahadurpur P.S. Case No. 183 of 2018 registered for offence punishable under section 302/34 of the Indian Penal Code and section 27 of the Arms Act.

One Aman Kumar was received bullet injury, admitted in Patna Medical College Hospital and he disclosed the name of one Golu and 6-7 other accused persons to have killed the deceased.

This Court has called the case diary and from perusal of same it reflects that the petitioner was driving in a rash and negligent manner that hit the students who are residing in a lodge and whereafter his car was damage caused by the students who were staying in the lodge-hostel and on return, the petitioner along with other Golu could know that the victim was a leader of that group who



has damage caused to the car of the petitioner. They have searched and picked up the victim and took to a temple where the victim was killed.

The learned counsel for the petitioner submits that the statement cannot be put any reliance on the fact that it was in the shape of exculpatory and cannot be a piece of evidence for attribution of the allegation and he has placed reliance on the order passed by one of the coordinate Bench of this Court in Cr. Misc. No. 78608 of 2018, in that case, the Court has granted anticipatory bail to one Abhishek Ranjan @ Shibu Kumar vs. the State of Bihar, but the order does not appear that the Court has called the case diary and examined the same and another person namely Prashant Kumar @ Moli Singh has also been granted bail by the court below.

This Court has considered the case diary and has found the different paragraphs implicating the petitioner to be involved in the commission of the murder on account of damage caused to the car of the petitioner.

Looking to the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected.

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(Shivaji Pandey, J)

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