

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9094 of 2019

Arising Out of PS. Case No.-342 Year-2018 Thana- TAJPUR District- Samastipur

Eqbal Ahmad @ Ekbal Ahmad Son of- Late Haji Ahsan Ahmad @ Late
Ahsan Ahmad Resident of village-Darzee Mohalla, Police Station- Tajpur,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2019 This is an application for grant of anticipatory bail in connection with Rajpur P.S. Case No. 342 of 2018, disclosing offences under Sections 302/34, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that the three miscreants riding on motorcycle came armed with pistol and they shot dead of the husband of the informant and fled away and the FIR has been lodged against unknown persons. Later on, during the investigation, name of the petitioner transpired on the confessional statement of co-accused and other materials.

Submission of learned counsel for the petitioner is that except confessional statement there is absolutely nothing against the petitioner and other materials which has come, not



connect the petitioner with the alleged occurrence and the petitioner has a jewellery shop.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail of the petitioner and drawn my attention towards paras 175, 242 and others paragraphs of the case diary and submitted that the confessional statement of Pappu Khan shows that at the instance of the petitioner and Pappu Khan, the deceased was killed and further para 242 disclosed that with the mobile of the petitioner contact was made with Pappu Khan and others and as such, he does not deserve the benefit of anticipatory bail.

Having heard both sides, in view of the fact and circumstances as stated above, I am not inclined to grant anticipatory bail to the petitioner, rather he should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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