

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27361 of 2019

Arising Out of PS. Case No.-849 Year-2018 Thana- SHASTRINAGAR District- Patna

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Dharmendra Kumar @ Dharmendra Das (NETA Ji) @ Dharmendra Das @ Dharamerndra Das @ Dharamerndra Kr., Son of Sudeshwar Ram, Resident of - Back of Gupta Market, Near- Pillar No. 53, Police Station- Hawaii Adda, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Narain Sinha, Senior Advocate Mr. Shyamal Prakash, Advocate Ms. Rima Sinha, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-07-2019 This is an application for grant of anticipatory bail in connection with Shastri Nagar P.S. Case No. 849 of 2018, disclosing offences under Sections 302, 120B of IPC and Section 27 of the Arms Act.

From the F.I.R. it appears that informant has received a telephonic call from Raj Nath Bhaiya that his younger Jitendra Kumar, who is practising as an Advocate in this court was shot. Thereafter, he was brought to emergency of I.G.I.M.S. where he has been declared dead. The informant has also alleged that one parental property of 03 kathas of the deceased was sold to one Supriya Devi and others by his mother and brother and they have forcibly come in possession over the said land. Further



case of the informant is that wife of the deceased and in laws has got a sale deed executed in favour of one Mohd. Tajuddin impersonating the deceased when the deceased came to know about the same, he published a general notice in 'Dainik Bhaskar' and as such, accused persons have hands in killing of his brother. Petitioner is not named in the F.I.R. however, it appears from the impugned order that his name transpires later on, on the basis of confessional statement of the co-accused in para 65 of the case diary and during the investigation there are other materials also against him.

Submission of the learned counsel for the petitioner is that except the confessional statement of co-accused there is nothing against the petitioner and he has falsely been implicated in this case.

Heard learned A.P.P. as well as learned counsel appearing on behalf of the informant also, they have drawn my attention towards paras 26, 27, 57, 64, 65, 66 & 67 and several other paragraphs of the case diary shows that petitioner has hand-in-globe with Mod. Tajuddin and he has active role in killing the deceased. As such, petitioner does not deserve privilege of anticipatory bail.

Having heard both sides, in view of the facts and



circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner. Hence, prayer for anticipatory bail is rejected.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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