

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20175 of 2019

Arising Out of PS. Case No.-68 Year-2017 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Nilesh Singh @ Nilesh Kumar Son of Late Sheo Nath Singh, Resident of
Village- Chhitnaur, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh
For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-04-2019 Heard both sides.

The petitioner apprehends his arrest in Cheria
Bariarpur P.S. Case No.68 of 2017 registered under Sections
302 and 34 of the Indian Penal Code and under Section 27 of
the Arms Act.

The informant (widow of deceased) named the
petitioner and other accused persons and alleged that all the
accused persons having armed with different weapons came at
the door of the informant and Krishnakant Singh assaulted the
husband of the informant with wooden plank and Naveen Singh
fired which hit on the head of the husband of the informant. The
petitioner is alleged to have fired at the chest of the deceased.

Learned counsel for the petitioner submits that during



course of investigation, the Investigating Officer found that the petitioner has falsely been implicated in the case. The other accused persons, namely, Krishnakant Singh, Naveen Singh, Amit Kumar and others have been granted regular bail, but from perusal of F.I.R. itself, it appears that it was the petitioner, who is alleged to have fired on the chest of the deceased. From perusal of postmortem report, it transpires that there is a firearm injury on the chest of the deceased and the bullet was found over right side of the back of the deceased.

Having considered the fact that there is specific allegation against the petitioner, who fired on the chest of the deceased causing his death on the spot, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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