

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29329 of 2019**

Arising Out of PS. Case No.-368 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

SANJAY KUMAR GOND S/o- Mangaru God R/o Village- Balua, Daulatpur,
P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 06-09-2019 The petitioner apprehends his arrest in connection with
Ara Muffasil P. S. Case No. 368 of 2018 registered under
Sections 302 and 120B/34 of the Indian Penal Code.

The prosecution story as recorded in the FIR is that on
16.11.2018 at about 8/8:30 PM, the father of the informant
received a call on his mobile phone and left his house to check
the mobile tower of which he was a caretaker. When father of
the informant did not return, informant with his brother went
towards the mobile tower and when they reached near the house
of Budhdeo Bind, dead body of the father of the informant was
found having injury mark on his head, neck, ear and back.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has not been named in the FIR and has
unnecessarily been dragged on the basis of confessional
statement of co-accused who was arrested in this case.



On the other hand, learned counsel appearing on behalf of the State, relying upon the case diary, submits that arrested co-accused has disclosed the name of the petitioner as one of the conspirators of the offence and custodial interrogation of the petitioner will be necessary.

After having heard learned counsel for the parties and taking into consideration the fact that dead body of the deceased was found lying having injury mark and one of the co-accused who was arrested, has disclosed the name of the petitioner as such I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Anil Kumar Sinha, J)

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