

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78202 of 2018

Arising Out of PS. Case No.-561 Year-2018 Thana- NATHNAGAR District- Bhagalpur

Pankaj Mandal @ Pankaj Singh Son of Late Ramesh Mandal Resident of
Village-Diggi P.S. Madhusudanpur, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-01-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Nathnagar (Madhusudanpur) P.S. Case No.561 of 2018 registered for offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR is that the petitioner fired on the wife of the deceased and it appears that the husband of the informant died.

Submission of the learned counsel for the petitioner is that the FIR does not show any allegation against the petitioner of firing on the deceased rather later on the petitioner has been made accused. The deceased was a veteran criminal and he has been killed at some other place in some other manner.

Heard learned A.P.P. , who has opposed the prayer for bail



on the ground that in the re-statement, the informant has categorically stated that the petitioner has fired and in para nos.11 and 12 also the witnesses have supported the case and the co-accused in his confessional statement has also named the petitioner as the person who has fired on the deceased.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of the anticipatory bail .

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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