

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46947 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- BARHARA KOTHI District- Purnia

LANKESH JAISWAL @ ANIKET JAISWAL @ ANIKET KUMAR
JAISWAL Son of Rajendra Bhagat Resident of Village - Gauripur, P.S. - B.
Kothi, District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-10-2019 The petitioner apprehends his arrest in connection with Barhara (Raghubans Nagar) P. S. Case No. 62 of 2019 registered under Sections 120B and 302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution story as per FIR is that the accused persons named in the FIR along with some other unknown persons shot down three persons namely Wakil Yadav, Ramakant Yadav and Neeraj Yadav(Amin) due to previous enmity.

Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the FIR and he has falsely been implicated in this case due to the fact that two cases are pending against the petitioners lodged by the police. He



further submits that during the course of investigation, no material has come against the petitioner to connect him with the presence offence.

On the other hand, learned counsel for the State submits that three persons have been killed in a single incident in which petitioner and other named accused persons were involved and the son of the deceased Ramakant Yadav, who claims to be an eye witness, has disclosed the name of the petitioner as one of the accomplices, who committed present offence in which three persons have been shot dead.

Having regard to the submissions made by the parties and taking into consideration the fact that son of one of the deceased Ramakant Yadav has disclosed the name of the petitioner as one of the accomplice, as such I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Anil Kumar Sinha, J)

sujit/-

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