

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68382 of 2018

Arising Out of PS. Case No.-207 Year-2015 Thana- HUSSAINGANJ District- Siwan

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Suman Singh, S/o Late Harendra Singh, Resident of Village- Belwasha, P.S.
Hussainganj, District- Siwan.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Tiwary, Advocate
For the State	:	Mr. Rajendra Pd. Nat, APP
For the Informant	:	Mr. Ajay Kr. Pandey, Mr. Sandeep Kumar, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302 and 201/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Hussainganj P.S. Case No. 207 of 2015.

3. It is submitted that the petitioner has been falsely implicated and admittedly, the firing was made by co-accused Vishwakarma Bind resulting in death of Satyendra Tiwary. It is submitted that on the request of the petitioner, Satyendra Tiwary had gone alone to settle the land dispute with Vishwakarma Bind but instead Vishwakarma Bind shot and killed him. After investigation, final form was submitted by the police but differing from the same, cognizance has been taken. No specific overt act has been assigned to the petitioner.

4. Learned APP assisted by learned counsel for the informant points out from the FIR that the petitioner along with co-accused Deepak Sah forcibly took the informant's brother Satyendra



Tiwary to the house of Vishwakarma Bind where he was shot dead. The informant accompanied his brother and the petitioner as well as Deepak Sah, who were present at the time when Vishwakarma Bind shot his brother Satyendra Tiwary.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned trial Court the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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