

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74854 of 2018

Arising Out of PS. Case No.-355 Year-2017 Thana- DAUDNAGAR District- Aurangabad

Shashi Kumar @ Shashi Kumar Ateray @ Shashi Sharma S/o Late Jitwahan
Sharma resident of Village- Shamsheer Nagar, P.S. Daud Nagar, District-
Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Sri Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-01-2019 Heard both sides.

The petitioner apprehends his arrest in Daud Nagar
P.S. case No. 355 of 2017 registered under Section 302,
120B/34 of the Indian Penal Code.

The informant, father of the deceased, lodged the case
against unknown alleging therein that his son went outside his
house but he did not return in the night. In the next morning
dead body of his son was found under a canal bridge. The
informant further alleged that he also called his son on mobile
who disclosed that he was inside the village but he did not
return.

The learned counsel for the petitioner submits that
during the course of investigation name of the petitioner and
other accused persons surfaced in the case. The witnesses have
stated that about 5-6 PM the petitioner and other accused
persons took toddy and other intoxicants and they were roaming
hither and thither inside the village. It is submitted that witness



in para 52, namely, Vinay Ram, did not disclose the name of petitioner. Vinay Ram disclosed that Prem Nandan Sharma, Bhageran Sharma, Devendra Sharma, Gorka Bablu, Chuunu Ram and Amarnath Thakur had come to his house. Prem Nandan was demanding his dues. He further disclosed that when quarreling started he closed the door. Last seen witness is Vinay Ram who also did not disclose the name of petitioner.

It appears from perusal of the case diary that informant in his further statement stated that many other witnesses have disclosed that they saw the petitioner and other accused persons were with the deceased and thereafter Amarnath Thakur, son of the informant, was killed and his dead body was recovered from a canal in the morning.

Considering the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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