

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10349 of 2020

Arising Out of PS. Case No.-307 Year-2016 Thana- BEGUSARAI TOWN District- Begusarai

PINTU KUMAR @ PINTU SINGH S/o Radha Krishna Prasad Singh
Resident of Village- Kathiya, P.S.- Muffasil (Lakho O.P.), Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-08-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

This application, for grant of anticipatory bail, arises
out of Town Police Station Case No. 307 of 2016, disclosing
offences under Sections 302/120-B/34 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that on 28.06.2016, the informant has found his elder
brother, sister-in-law and nephew murdered by cutting their
necks by means of sharp cutting weapon at the roof of their
house. It has further been alleged in the First Information Report
that the informant has suspicion against Gopal Mandal, Raju
Jha, Murari Singh and Pappu Singh, who had threatened to kill
the elder brother of the informant due to some land dispute.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of suspicion due to the fact that the petitioner had talked with the co-accused persons. He further submits that except this, there is nothing to show the involvement of the petitioner in the present offence.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that in course of investigation, it has come, in the case diary, that the petitioner was in regular contact with the accused persons and in the intervening night of 27/28-06-2016, the location of the mobile phone of the petitioner was found within a radius of 1 km. of the place of occurrence. He also submits that on the date of occurrence, the petitioner had a talk with the co-accused on his mobile phone. He further submits that the anticipatory bail application of similarly situated co-accused Abhishek Kumar has been rejected by this Court.

Learned Counsel for the petitioner submits that the allegation against Abhishek Kumar is not similar to that of the petitioner.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that in course



of investigation, on the basis of the electronic evidence, the petitioner's name has transpired in the offence, the anticipatory bail application of co-accused Abhishek Kumar has been rejected by this Court and all other accused persons have been granted regular bail in this matter, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

