

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65645 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- KALYANPUR District- Samastipur

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Santosh Kumar @ SANTOSH KUMAR TIWARI @ ANNU TIWARI, Son of
Ram Kumar Tiwari, Resident of Village- Repura, Police Station- Tajpur
(Waini O.P.), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 05-03-2020 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences under Sections 302 and 120(B) of the
IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of
Kavita Devi submitted to the Station House Officer, Kalyanpur
Police Station, is to the effect that on 24.01.2019, three persons
namely, Prabhakar Gaurav @ Munna Thakur, Prabhat Kumar @
Bablu Thakur and Rahul Kumar came on a motorcycle to the
house of the informant and started indiscriminate firing on the
husband of the informant, causing injury to him. On alarm being
raised, the accused persons escaped from the scene. The



informant also saw three persons outside the house on a different motorcycle. The name of the petitioner subsequently sprang up during investigation on the basis of confessional statement of co-accused Sanjeet Kumar Jha.

It is submitted by the learned counsel for the petitioner that in the background of the land dispute, the accusation has been levelled against the petitioner. A statement has been in the paragraph no. 3 of the petition that the petitioner is accused in three other cases, out of three cases, in one case, he has been acquitted whereas in two cases, he is on bail.

It is submitted by the learned APP for the state that the name of the petitioner has been surfaced on the basis of confessional statement of Sanjeet Kumar Jha who has been arrested in connection with Musrigharari P.S. Case No. 37 of 2019 and paragraph no. 206 of the case diary, it is stated that the petitioner has given supari to one Sonu Singh who is committing murder of the husband of the informant.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

However, let the learned Court below consider the



prayer for regular bail of the petitioner, if he surrenders before the learned Court below within a period of six weeks, in connection with Kalyanpur P.S. Case No. 18 of 2019, pending before the learned Chief Judicial Magistrate, Samastipur.

(Dinesh Kumar Singh, J.)

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