

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72848 of 2019**

Arising Out of PS. Case No.-293 Year-2015 Thana- BARHARA District- Bhojpur

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Santosh Kumar Singh @ Santosh Singh, Son of Kamla Singh Resident of  
Village - Bhusahula, Police Station - Barahra, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anant Kumar Pandey

For the Opposite Party/s : Mrs. Pushpa Sinha.1

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

4      16-03-2020                      Heard learned counsels for the petitioner and the  
  
State.

The petitioner is apprehending arrest in a case registered  
for the offences punishable under Sections 304, 307, 323 and  
427/34 of the IPC.

The prosecution case, as per the fardbeyan of Narvdeswar  
Singh, recorded by Shardanand Thakur, A.S.I., Barhara Police  
Station on 20.09.2015 is to the effect that on the same day, the  
informant, being the Dafadar along with Jawahar Paswan, being  
the Chaukidar were on night patrolling duty when they heard  
some noise and subsequently they reached at the place of noise  
and found that two unknown persons have been assaulted by a  
mob, out of whom, one person was already dead and other  
person was severely injured and one motorcycle of the victim



was also put on fire by unknown villagers. Though the FIR was lodged against unknown persons, but during investigation, injured person namely, Govind Singh disclosed the name of the petitioner as the person who along with other co-accused killed the deceased, Mukesh Rabbani. Govind Singh further stated that he developed some intimacy with co-accused Umesh Singh and he used to visit the house of co-accused Umesh Singh. Subsequently, co-accused Umesh Singh suspected that Govind Singh has developed illicit relationship with his daughter and on the date of alleged occurrence, when Govind Singh along with the deceased went to the house of Umesh Singh, all the accused persons including the petitioner assaulted him and killed other person, Mukesh Rabbani.

It is submitted by learned counsel for the petitioner that the petitioner is the resident of village Bhusawal, whereas the alleged occurrence took place in the village Keshopur. The accusation is omnibus and general against the mob. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, after going through the case diary, submits that during investigation it has transpired that all the accused persons including the petitioner has killed the victim, Mukesh



Rabbani.

Considering the fact that the injured person has named the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with Barahra P.S. Case No. 293 of 2015 pending in the Court of learned Chief Judicial Magistrate, Bhojpur at Ara.

However, learned Court below may consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks.

Accordingly, the present application is disposed of.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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