

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2849 of 2021

Arising Out of PS. Case No.-2 Year-2020 Thana- NARDIGANJ District- Nawada

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Ganesh Singh, Son Of Arbind Singh @ Puli Singh @ Arvind Kumar Resident
Of Village- Handiya, P.S.- Nardiganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Thakur- Advocate
For the Opposite Party/s :	Mr. Sheo Kumar Prasad- A.P.P.
	Ms. Meena Singh- Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-07-2021 Heard Mr. Ajay Kumar Thakur, the learned Advocate

for the petitioner and Mr. Sheo Kumar Prasad, the learned APP

for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Nardiganj P. S. Case No.02 of 2020, instituted
for the offences under Section 302/ 34 of the Indian Penal Code.

The deceased disclosed to her mother and wife
(informant) that the petitioner and others had assaulted him.
Shortly thereafter, the deceased succumbed to the injuries.

Hence, this case.

The learned Advocate for the petitioner has shown
from the F.I.R. and from the bail petition that in fact, the
deceased was caught stealing paddy of one Bihari Singh. He



was thereafter assaulted by the villagers which led to his death. Since there is a dispute between the owner of the vehicle of which the deceased was the driver and aforesaid Bihari Singh, this case has been lodged.

The petitioner happens to be one of the associates of Bihari Singh.

These facts do not impress this Court for granting anticipatory bail to the petitioner for the reason that the deceased, shortly before his death, had disclosed before his wife that the petitioner was one of the assailants.

Regard being had to be afore-stated facts, the prayer for anticipatory bail of the petitioner is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

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