

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13158 of 2021

Arising Out of PS. Case No.-478 Year-2020 Thana- AKBARPUR District- Nawada

BHOLA SINGH @ SARWODY SINGH SON OF LATE LALO SINGH R/o
village- Gangta, P.S.- Akbarpur, Distt.- Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/ : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 22-02-2022 Learned counsel for the petitioner is directed to re-

move all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner as well as

learned APP for the State.

The petitioner apprehends his arrest in connection

with Akbarpur P.S. Case No. 478 of 2020, registered for the of-

fences punishable under Sections 302, 379/34 of the Indian Pe-

nal Code and Section 25 (1-b)a/26/27/35 of the Arms Act.

As per FIR, the other co-accused persons who are the

sons of the present petitioner committed murder of his (infor-

mant's) brother by firing shots at the order of the present peti-

tioner.



Learned counsel for the petitioner has submitted that there is no specific allegation against the petitioner of committing firing rather there is only allegation against him is that he exhorted other co-accused persons to kill the deceased. Thereupon, other co-accused, as per allegation, opened fire on the deceased.

Although, there is no allegation against the petitioner to kill the deceased but on his exhortation the main assailants fired shot. Prior to this occurrence, as per FIR itself the deceased was threatened by accused persons and already a criminal case has been lodged in this respect. In my view, it is not a fit case for anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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