

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25725 of 2021

Arising Out of PS. Case No.-21 Year-2019 Thana- GOVINDPUR District- Nawada

PURUSHOTAM KAHAR, (Male), aged about 41 years, S/O Jagdish Kahar,
R/o village- Chotha, P.S.- Rajauli, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Birendra Kumar, Advocate
For the Informant	:	Mr. Rakesh Kumar Shrivastava, Advocate.
For the State	:	Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-05-2022 Heard learned counsels for the petitioner, informant
and learned counsel for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in connection
with Govindpur P.S. Case No. 21/2019 for the offence registered
under Sections 302 of the I.P.C., 27 of the Arms Act and 15, 16,
18 and 20 of the U.A.P.A. Act.

The prosecution story, in brief, is that the members of
an organization, namely, P.L.F.I., were demanding extortion
money through Cellular Phone in respect of which Govindpur
P.S. Case No. 19 of 2019 was registered on 03.12.2019. The



informant has asserted that in view of such demands being made, the family members were taking due care for the protection of their lives and property. However, on the alleged date of occurrence i.e., 06.12.2019, the informant heard sound of indiscriminate firing. The informant's nephew was killed by the miscreants.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. Except confessional statement of the co-accused, there is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State and the informant, it is submitted that the petitioner is not named in the F.I.R. The name of the petitioner has come in the present case in course of investigation. It has further been submitted that the petitioner is a member of 'P.L.F.I.' who participated in the alleged occurrence and the regular bail of other co-accused persons have been rejected by a Co-ordinate Bench of this Court vide Cr.



Misc. No. 16128 of 2020 under order dated 30.06.2020 and Cr.
Misc. No. 20555 of 2020 under order dated 07.12.2020.

Considering the fact that the regular bail of other co-accused persons have been rejected by Co-ordinate Benches of this Court, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Govindpur P.S. Case No. 21/2019, pending in the court of learned S.D.J.M., Nawada.

If the petitioner surrenders in the learned court below and prays for regular bail, the same shall be considered by the learned court below on its own merit without being prejudiced by this order of the Court.

(Sudhir Singh, J)

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