

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30682 of 2021

Arising Out of PS. Case No.-371 Year-2017 Thana- FATEHPUR District- Gaya

SANDEEP KUMAR @ SANDEEP KUMAR SHARMA Son of Dular Chand
Sharma Resident of 112/113/16, Dharmatala Road, Howrah Municipal
Corporation, Malipanchghara, P.S.- Howrah, District- Howrah-711106

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rashid Izhar

For the Opposite Party/s : Mr. Raj Ballabh Singh

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

ORAL ORDER

6 04-07-2022 Learned counsel for the petitioner is directed to remove
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
Fatehpur P.S. Case No. 371 of 2017, registered for the offences
punishable under Sections 302, 201,120B/34 of the Indian Penal
Code.

As per allegation, the informant Manoj Shaw lodged
fardbeyan stating therein that his nephew Shrawan Kumar had gone
to watch the fair along with his friend Rohit Kumar when they
reached near Ichcha Mor, 7 accused persons along with petitioner
intercepted them and they attacked them asking as to why were they
making conversation with one Anjali Kumari, thereafter, the accused



persons forcibly took both of them towards their village and after killing Shrawan Kumar they threw his dead body in a well.

Learned counsel for the petitioner has submitted that as per post-mortem report, no external injuries were found on the dead body. He has also submitted that father's name of the petitioner does not tally with the statement of Rohit Kumar as the name of the father of the petitioner is not Dular Chand Mistri rather it is Dular Chand Sharma.

On the other hand, learned Addl.P.P. has submitted that the First Information Report is corroborated by the statement of eye witness Rohit Kumar who had given vivid description of entire occurrence. The dead body was recovered from the well wherein the deceased was dropped after killing. Eye witness Rohit Kumar has named this petitioner.

The eye witness Rohit Kumar who was also dragged with the deceased has named the present petitioner amongst the other co-accused persons. As such, I am not inclined to grant anticipatory bail to the petitioner. His prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner 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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