

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51174 of 2021**

Arising Out of PS. Case No.-73 Year-2019 Thana- KANTI District- Muzaffarpur

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DURGESH KUMAR @ CHULBUL S/o SANT KUMAR CHAUDHARY
R/o VILLAGE-KALWARI, P.S-KANTI, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Chandra Ojha, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 16-02-2022 Heard the parties through video conferencing.

The petitioner apprehends his arrest in connection with Kanti P.S. Case No. 73 of 2019 registered for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner does not have any criminal antecedent. The petitioner has not named in the F.I.R. Other co-accused namely Sudhakar Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court.

In a case of double murder, where investigation is going on, the same hinges on the circumstantial evidence, it cannot be said that the petitioner is not involved in the case. It is



for the Police to investigate and for the said purpose they may also conduct custodial investigation.

In view thereof, I am not inclined to grant benefit of anticipatory bail to the above named petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

(Sanjeev Prakash Sharma, J)

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