

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33544 of 2023

Arising Out of PS. Case No.-56 Year-2022 Thana- CHANDRAMANDI District- Jamui

Naresh Singh Son of Hari Singh Resident of village - Belbona, P.S.-
Chandramandih, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Chandramandih P.S. Case No. 56 of 2022, registered on 30.03.2022 for the offences under Sections 302, 120B and 379/34 of the Indian Penal Code.

3. As per prosecution case, the informant gave his written report that his brother was working as Munshi at the brick kiln. On the fateful night the petitioner and other co-accused persons assaulted the brother of the informant with rod, knife and Tangi, who succumbed to his injury. The occurrence took place in the background of some land dispute and the accused persons were asking the deceased to vacate the same.

4. Learned counsel for the petitioners submits that the



petitioner is innocent and has falsely been implicated in this case. Land dispute is admitted in the FIR itself. FIR has been registered after delay of two days which shows deliberation. During investigation no independent witness has supported the prosecution case.

5. Learned APP opposes the prayer for anticipatory bail submitting that there is specific allegation against the petitioner that he along with other co-accused persons assaulted the brother of the informant, who succumbed to his injury. The petitioner is having criminal antecedent of two cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the serious nature of allegation against the petitioner, I do not think it is a fit case for grant of anticipatory bail and accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Arun Kumar Jha, J)

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