

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46071 of 2023

Arising Out of PS. Case No.-404 Year-2023 Thana- KHAJANCHI HAT District- Purnia

JAGDISH SINGH Son of late Narayan Singh Resident of - Guru Bazar,
Barari, P.S.- Barari, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Kumar Rajdeep, Adv. Mr. Arvind Kumar, Adv. Ms. Diksha Kumari, Adv.
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, APP. Mr. Pramod Kumar Singh, Adv. Mr. Awadhesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in connection with K.Hat (Maranga) P.S. Case No. 404 of 2023 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

3. The allegation against the petitioner is that having conspiracy, he along with other co-accused persons committed murder of the informant's son.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are agnates. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is admitted land



dispute between the parties. There is no eye-witness in the present case. He has been made accused in the present case merely on suspicion. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that there is serious allegation of committing murder of the informant's son against the petitioner and the apprehended co-accused persons in their confessional statement also disclosed his name. They relied upon the judgment of the Apex Court in the case of *Indresh Kumar V/s. The State of UP & Anr.* reported in Criminal Appeal No. 938 of 2022. It is further submitted that there is ample evidence in the case diary which indicates the complicity of the petitioner in the present case, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, as there is ample evidence in the case diary against the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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