

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63818 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- BAHERI District- Darbhanga

CHANDAN KUMAR SINGH @ CHANDAN SINGH S/O BHOLA
SHANKAR SINGH R/O VILLAGE- HATHAURI, P.S- HAYAGHAT,
DISTT.- DARBHANGA- 847301, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kumar

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-10-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bahera Police Station Case No. 256 of 2018, disclosing offences under Sections 376 and 511 of the Indian Penal Code.
3. The petitioner is seeking anticipatory bail in a triple murder case.
4. As per the First Information Report, three persons, namely Anil singh, Manish Singh and Munna Singh, were killed in broad daylight by some unknown criminals by means of firearm. The occurrence has taken place on 22.06.2023 in the evening, the FIR has been lodged by the driver stating that all



the victims were going on their bolero car in order to attend marriage function and in the meanwhile, twenty five unknown persons surrounded the vehicle and fired upon them due to which three persons died. The driver has also been made accused, subsequently, the name of the petitioner has surfaced during the course of investigation.

5. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to oblique motive by the police and only due to the fact that the petitioner has criminal antecedent. Though no material has come, against the petitioner, to connect him with the aforesaid offence except the criminal antecedent against the petitioner. He further submits that criminal antecedent cannot be a ground for rejection of bail.

6. On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that it is a case of triple murder and during the investigation, the petitioner's name has transpired. There is enough material against the petitioner and the charge sheet has already been submitted declaring the petitioner as an absconder. He further submits that the process under Section 82 and 83 has also been issued against the petitioner and as per the judgment of Hon'ble



Supreme Court i.e., PLJR 2021 Vol. 4 SC Page 307, the anticipatory bail is not maintainable.

7. Taking into consideration, the material on record, considering the gravity of the offence that three persons have been killed in the broad daylight, the petitioner is having criminal antecedent and has been declared absconder and the charge sheet has already been submitted and processes had earlier been issued under Section 82 and 83, accordingly, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

8. The prayer for anticipatory bail thus stands rejected.

(Anil Kumar Sinha, J)

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