

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31793 of 2024

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

Naresh Singh S/O Sri Hari Singh R/O Village- Belbona, P.S- Chandramandih,
P.O- Chandramandih And Distt.- Jamui, Bihar- 811303.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harshit Griyaghey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

7 04-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Chandramandih P.S. Case No. 56 of 2022 registered for the alleged offences under Section 302, 120(B), 379 and 34 of the Indian Penal Code.

03. As per prosecution case, on the basis of a written report given by one Haresh Kumar Ray, FIR was registered against the petitioner and other FIR named co-accused persons for murder of the brother of the informant who had been working as *Munshi* in a brick kiln.

04. Learned counsel for the petitioner submits that this is the second attempt of the petitioner to seek anticipatory bail from this Court as his prayer for bail was earlier rejected by this Court *vide* order dated 21.07.2023 passed in Cr. Misc. No. 33544



of 2023. Learned counsel further submits that this is a completely false and concocted case against the petitioner. The informant is not the brother of the deceased rather he is cousin of the deceased and during investigation witnesses had stated about involvement of own brother of the informant in murder of Siyaram Ray, the deceased. Learned counsel further submits that this fact was even stated by the wife of the deceased Priyanka Devi. Learned counsel further submits that the occurrence took place on 28.03.2022 at 10:30 P.M. and the post mortem was conducted on 29.03.2022 at 2 P.M. but the FIR has been registered on 30.03.2022 at 11:30 P.M. which shows deliberation and afterthought on part of the informant in falsely implicating the petitioner and others. Learned counsel further submits that there is no specific allegation of assault against the petitioner, which is specific against one Bhubaneswer Singh who has been granted regular bail by a Co-ordinate Bench of this Court *vide* order dated 15.02.2023 passed in Cr. Misc. No. 53334 of 2022. Other similarly placed co-accused Puran Ram has been granted anticipatory bail *vide* order dated 28.11.2023 passed in Cr. Misc. No. 57866 of 2023. Learned counsel further submits that petitioner is having antecedent of two cases in which he is on bail.

05. Learned A.P.P. for the State vehemently opposes the submission made on behalf of the learned counsel for the



petitioner. Learned A.P.P. submits that the petitioner has been named as one of the accused by the informant as well as by the wife of the deceased and there is no discrepancy on this point.

06. Having regard to the nature of allegation and earlier rejection and also considering the criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail.

07. Hence, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Arun Kumar Jha, J)

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