

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45089 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- MANIYARI District- Muzaffarpur

Nand Lal Kumar @ Suraj Kumar @ Nand Lal Yadav @ Nanda son of Late
Jay Lal Rai Village- Ganj Gaurihar Ps- Sakra Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Sinha, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 04-10-2024 Heard Learned Counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Maniyari P.S. Case No.206 of 2023 lodged dated under Sections 302 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against one named and another unknown accused person against whom there is allegation of murder of informant's husband by gun shot.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner's name has figured in this case by virtue of confessional statement of co-accused person save and except, there is no material against him.

5. Learned Counsel also submits that antecedent of



the petitioner is not clean and there is one criminal case pending against him in which he is on bail. He further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned Counsel further submits that one accused, namely, Gurucharan Ray has been granted regular bail from this Hon'ble Court and from his statement, it transpires that his statement is not consistent and cannot be relied upon him.

7. Learned APP for the State opposes the prayer for bail and submits that two different co-accused persons have confessed that it is the petitioner who fired on the deceased due to which he died and this material has come in paragraph 9 and 125 of the case diary.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 (four) weeks from today and prays for regular bail, then Trial Court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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