

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63716 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- NAUGACHIA District- Bhagalpur

Sagar Kumar @ Mithu jha @ Mitthu jha S/o- Pappu jha @ Subodh jha
Village- Kataria Ps- Kursela District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-10-2024 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 Naugachia Police Station Case No. 80 of 2024, dated 09.03.2024, disclosing offences under Sections 302/387/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that while the informant, along with his son, was doing construction work on their land, the accused persons arrived there on motorcycle and fired 6-7 bullets upon the informant's son due which he sustained fire-arm injury and subsequently died.
4. Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case due to village politics. He next submits that the petitioner is not named in the First Information Report and his named has transpired during the course of investigation on the basis of confessional statement of accused Ajit Yadav and Rahul Yadav.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and severity of punishment and the fact that Court is not holding mini trial at the time of considering the case for anticipatory bail of the petitioner and admissibility of evidence may be a subject matter of full fledged trial, I am not inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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