

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7239 of 2025

Arising Out of PS. Case No.-342 Year-2024 Thana- SAHPUR District- Patna

Kamendar Kumar @ Kavindar Prasad S/o Sri Ram Babu Rai Resident of
village- Ghusuk Tola, (Usri Khurd), P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-05-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Shahpur P.S. Case No. 342 of 2024 dt: 11.10.2024
registered under section 103(1), 3(5) of the B.N.S. 2023 and
section 27 of the Arms Act.

3. As per the first information report on 11.10.2024 at
about 7:00 A.M. while the informant's father, who is a driver of
the cart carrying garbage was going, two unknown persons
sitting on a motorcycle overtook him near village Usri Khurd
and shot his father dead. Another bullet fired by the accused
persons crossed after touching the body of Raju Manjhi who
was sitting in the vehicle along with informant's father. The
informant has raised suspicion upon the petitioner as well as two
other accused persons and said that his father has been killed



due to land dispute.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of suspicion only and the F.I.R. is in three parts. First part is that while the informant's father was driving the garbage vehicle he was shot dead by unknown bikers. Secondly he has raised suspicion upon two other accused persons Ajeet Saw and Arvind Saw who used to pressurize the informant's father to grab his 04 katha land situated behind the petrol pump near Shivala and third part is against petitioner that he used to threaten the informant's father and pressurize him to transfer the land in his favour failing which he will be shot dead. Learned counsel next submits that except suspicion there is no other material to connect the petitioner with the present offence.

5. On the other hand, learned counsel for the state referring to the case diary submits that on the basis of initial investigation and suspicion raised against the petitioner the police has taken warrant against the petitioner in order to unearth / investigate the case in the right direction. The supervising authority has found the case as true.

6. Having heard learned counsel for the parties and taking into consideration the fact that strong suspicion has been raised



in first information report against the petitioner and further the police in order to complete the investigation in the present case has taken warrant against the petitioner accordingly I am not inclined to grant anticipatory to the petitioner inasmuch custodial interrogation of the petitioner may be necessary in the present case. The prayer for anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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