

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No.6237 of 2021**

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Sheo Narayan Singh @ Bambhola Singh

.... .... .... Petitioner

Versus

The State of Jharkhand

.... .... ...Opposite Party

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**CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner : Mr. Mahesh Tewari, Advocate

For the State : Mr. Nawin Kr. Singh, Addl.P.P

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**Order No.02 Dated- 06.09.2021**

Heard the parties through video conferencing.

Learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest in connection with Bengabad P.S. Case No. 187 of 2020 corresponding to G.R. No. 1722 of 2020 instituted under Sections 147, 148, 149, 342, 379, 307, 302 of the Indian Penal Code and Section 27 of Arms Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner along with the co-accused persons being member of unlawful assembly, armed with deadly weapons and in prosecution of the common object of the assembly committed murder the deceased-Kailash Yadav and attempted to murder Indarlal Verma. It is submitted that the allegation against the petitioner is false. It is next submitted that the petitioner is not named in the F.I.R. and though the eye witness of the occurrence namely-Surendra Mahto, in his statement recorded under Section 161 Cr.P.C. before the police, has stated that the petitioner also assaulted the deceased but in his statement recorded under Section 164 Cr.P.C., the said witness-Surendra Mahto has not taken the name of the petitioner. It is further submitted that the eye-witness-cum-injured-Indarlal Verma to the occurrence has also not taken the name of the petitioner. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State on the other hand vehemently opposes the prayer for anticipatory bail of the petitioner and submits that besides the petitioner being named in the confessional statement of the co-accused-Sukhdeo Rai, the witness-Mahendra Mahto in para-28 of the case diary, has also stated about the petitioner assaulting the deceased-Kailash Yadav resulting in his death and apart from that Surendra Mahto in his statement recorded under Section 161 Cr.P.C. before the police, has stated about the petitioner assaulting the deceased, hence, the custodial interrogation of the petitioner is required during the investigation of the case for recovery of the alleged weapon of offence with which the deceased has been murdered and also to find out the specific details of this case. Hence, it is submitted that the petitioner ought not to be given the privilege of anticipatory bail.

Considering the serious nature of the allegation against the petitioner and the requirement of his custodial interrogation during the investigation of the case, this Court is of the considered view that this is not a fit case where the petitioner be given privilege of anticipatory bail. Accordingly, the prayer for anticipatory bail of the above named petitioner is rejected.

**(Anil Kumar Choudhary, J.)**