

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15837 of 2015

Arising Out of PS.Case No. -426 Year- 2012 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Upendra Rai S/o - Bharat Rai R/o - Vill - Babu Bishunpur, P.S. -
Yadopur, Dist - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey, Advocate

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioner and the
State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 427 of the Indian Penal Code and 27 of the Arms Act. Later on Section 302 of the Indian Penal Code was added.

It is submitted by the learned counsel for the petitioner that petitioner was not named in the First Information Report. Subsequently his name sprang up after more than a year of the occurrence, when it was found that the petitioner used the SIM which was registered in the name of his father-in-law namely Anirudh Singh at the time when he talked with co-accused Narendra Singh and Ranjan Yadav. It is submitted that at the time of occurrence the petitioner was not present

at the place of occurrence. There is specific allegation of firing is against the First Information Report named accused person and only on suspicion accusation has been levelled against the petitioner.

Considering the delayed sprang up the name of the petitioner after more than a year, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Gopalganj P.S. Case No. 426 of 2012, pending in the court of learned Chief Judicial Magistrate, Gopalganj.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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