

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 26471 of 2014

Arising out of P. S. Case No. - 217 Year - 2013 Thana - FATEHPUR District - GAYA

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1. Ramswroop Prasad, Son of Late Bisheshwar Prasad, resident of village -
Bakhri, P.S. - Fatehpur, District - Gaya

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar Ray, A.P.P.

For the Opposite Party/s : Mr. A. L. Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

8 29-01-2015

Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under Sections 147, 148, 149, 302, 307, 450, 452 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of the Explosive Substance Act.

After hearing the sound of firing in which Ganesh Prasad was shot dead, Suma Devi came running and then the petitioner and other co-accused caught hold her and the petitioner instigated to shoot her also then Akashdeep and Rakesh Kumar opened fire upon her resulting she became unconscious and later on died.

Submission is of false implication. On that date there was Tilak ceremony in the house of the petitioner and the

petitioner has not participated in the crime as he was engaged in the Tilak ceremony of Akashdeep but falsely he has been implicated in the case. In the case diary also some of the witnesses have stated that on that date there was Tilak ceremony of Akashdeep.

Considering the submissions urged at the bar, going through the records and noticing that there is allegation against the petitioner of catching and giving order to kill Suma Devi, this Court is not inclined to grant pre-arrest bail to the petitioner and accordingly, his such prayer stands rejected in connection with Fatehpur P.S. Case No. 217 of 2013 pending before the Court of learned Chief Judicial Magistrate, Gaya.

(Jitendra Mohan Sharma, J.)

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