

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40924 of 2014

Arising Out of PS.Case No. -139 Year- 2013 Thana -PAROO District- MUZAFFARPUR

Junarvi Rai @ Junarvi Ray son of Bipat Rai, resident of Village Sain, P.S.
Belsar O.P., District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends arrest in Paroo P.S. Case
No. 139 of 2013 dated 22.09.2013 instituted under Sections
147/148/149/323/307 of the Indian Penal Code.

Learned counsel for the petitioner submits that his
sister was killed by the son of the informant for which Paroo P.S.
Case No. 138 of 2013 dated 21.09.2013 was instituted under
Section 302 of the Indian Penal Code and this is the reason why he
has been falsely implicated in the present case. Learned counsel

further states that the other co-accused after facing trial have been acquitted by the court below.

Learned A.P.P. opposes the prayer for anticipatory bail and submits that the father of the deceased has clearly stated that his son was assaulted by the petitioner, his father and another person which later led to his death and the informant has admitted that his son (deceased) had killed the sister of the petitioner and thus there cannot be any false implication. He further submits that the petitioner being the son of Bipat Rai who has faced trial has evaded the process of law and was taking a chance by waiting for the outcome of the trial of the other accused.

Considering the facts and circumstances of the case and the specific nature of allegation against the petitioner, this Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for regular bail before the court below, the same shall be considered on its own merits without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

Anjani/-

U		T	
---	--	---	--