

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38306 of 2015**

Arising Out of PS.Case No. -40 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

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1. Rambabu Ray Son of Late Umashankar Rai, resident of village- Dawan,  
P.S. Jagdishpur, District- Bhojpur (Ara).

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Ram Naresh Roy(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      24-09-2015      Heard learned counsels for the petitioner, informant and  
the State.

The petitioner is apprehending arrest in a case registered  
for the offences punishable under Sections 302 and 120B/34 of the  
Indian Penal Code and section 27 of the Arms Act.

The prosecution case is that the informant went to the  
Court along with his brother and mother Rekha Devi. While  
returning from the Court by train his paternal uncle Rambabu Rai  
(petitioner) and Mithilesh Rai came to his bogie and on their order  
the father of the informant Kamlesh Rai killed the mother of the  
informant by causing fire arm injury.

It is submitted by the learned counsel for the petitioner  
that the relationship between the mother and father of the

informant was not cordial and the thrust of accusation is against the father of the informant but since the petitioner happens to be the uncle of the informant hence he has maliciously been roped in the present case.

Considering the specific accusation of killing by causing fire arm injury against co accused Kamlesh Rai and Statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara in connection with Charpokhari P.S. Case No.40 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

Anil/-

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