

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46404 of 2014

Arising Out of PS.Case No. -384 Year- 2013 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Sanjay Mishra Son of Ramashrya Mishra resident of Village Kolhuarawa,
P.S. Motihari -town, District- East Champaran Motihari

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. V.K.Sharma, Adv.

For the Opposite Party/s : Mr. Shailendra Kr. 1(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection
with Motihari Town P.S.Case No.384 of 2013 registered for the
offences punishable under section 302 of the Indian Penal Code
and 27 of the Arms Act.

According to the F.I.R., the petitioner is alleged to
have fired causing injury to the son of the informant, as a result of
which he died instantaneously.

Learned counsel for the petitioner has submitted that
the entire allegation made in the F.I.R. is misconceived. The
petitioner is closely related to the informant of the case and there
was no motive for him to kill a four year old innocent child. The

informant had not witnessed the occurrence but has lodged the F.I.R. on the basis of some misleading information received by him.

Be that as it may, regard being had to the serious nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

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