

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25710 of 2014

Arising Out of PS.Case No. -223 Year- 2013 Thana -RAJPUR District- BUXAR

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Ramesh Rai Son of Rajendra Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma

For the Opposite Party/s : Mr. Pronati Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

5 01-05-2015

Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that as soon as the brother of the informant along with one Shreesh Nath Adhis @ Pandit reached from the boat near the Karmnash river he was shot by co-accused Guddu Rai, the second fire was made by co-accused Mantu Rai and the 3rd fire was made by co-accused Ramesh Rai, thereafter, the brother of the informant fell down and succumbed to the injuries while friend of the brother of the informant Shreesh Nath Adhis @ Pandit tried to flee away in the river to save himself then he was shot by co-accused Chandan Rai, who also succumbed to the injuries.

It is submitted by learned counsel for the petitioner that except the informant there is no eye witnesses of the occurrence. Place of occurrence has not been described through out the investigation and the inquest report does not suggested that the occurrence took place around the bank of river Karmnasha.

It is submitted by learned APP for the State after going through the case diary that there is specific accusation against the petitioner to have caused fire arm injury to the brother of the informant.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Rajpur P.S. Case No.223 of 2013, pending before the learned Chief Judicial Magistrate, Buxar.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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