

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43862 of 2015

Arising Out of PS.Case No. -118 Year- 2014 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

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1. Brahmdeo Rai Son of Sagar Rai, Resident of Village - Rustampur, P.S. -
Raghopur, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh
For the Opposite Party/s : Mr. Umesh Lal Verma (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 16-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under sections
341, 324, 307, 302/34 of the Indian Penal Code.

It is alleged that while the informant was going on motor
cycle along with his cousin Shiv Sagar Rai, the accused persons
riding motor cycle intercepted them. Accused Shankar Rai opened
fire which hit the stomach of his brother Shiv Sagar Rai. The
petitioner is named in the F.I.R. along with other accused persons.

Counsel for the State submits that the co-accused Mantu
Rai with similar allegation to that of the petitioner has been
refused anticipatory bail.

The petitioner submits that apart from the informant, he has
been named only by one person whereas co-accused Mantu Rai

was named by a number of persons.

Though there is no specific overt act against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. His prayer for anticipatory bail is rejected. In case, the petitioner surrender and pray for regular bail, the same would be disposed of on the same day without being prejudice by the fact that his prayer for anticipatory bail has been rejected by this Court.

(Samarendra Pratap Singh, J)

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