

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4168 of 2015

Arising Out of PS.Case No. -159 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

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1. R.k. Rai @ Sangram Rai @ Rakesh Kumar Rai Son of Late Bhukhal Rai
@ Sukhal Singh, Resident of Village - Kararia, Police Station - Gopalganj,
District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-03-2015 Heard both sides.

The petitioner apprehends his arrest in Gopalganj Town
P.S. Case No. 159 of 2014, registered for the offences punishable
under Sections 302 and 34 of the Indian Penal Code.

The informant named the petitioner along with other
accused persons and alleged that while he along with his family
members after returning from Milad, on the order of the petitioner
Manoj Singh fired at the chest of Rustam Ali.

Shri Bakshi S.R.P. Sinha the learned Sr. Advocate
submits that prior to lodging of this case, the brother of the
deceased was killed in which the petitioner and other accused
persons were made accused, but the police after investigation
submitted final form finding the case false. In the present case also

the police did not find the case true against Manoj Singh who is alleged to have fired. On account of land dispute the petitioner has falsely been implicated in this case.

It appears that the informant and other witnesses are eye witnesses of the occurrence and they have very categorically stated that the petitioner and other accused persons caught the deceased and on the order of the petitioner Manoj Singh fired at the chest of Rustam Ali who died on the spot.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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