

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26855 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -PATNA CITY CHOWK District- PATNA

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1. Raju Gope S/O Ramdev Gope R/O Mogalpura, Suee ki Masjid P.S.
Khajekala, Distt.- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Chowk
P.S.Case No.06 of 2015 instituted under Sections 302, 120(B),
379/34 of the Indian Penal Code.

It is alleged that on 8.1.2015 around 8.30 O' clock it
was stated that the informant gave a telephonic call to the
deceased and it was replied that the deceased was in the market
and he would come in a short while. After sometime, the
informant came to know that the deceased, who is the elder
brother of the informant has been murdered and his dead body was
lying in the Mirchi Gali. It has been further stated that prior to the
alleged occurrence there was dispute with the petitioner and the
deceased.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The only material against the petitioner is that he was last seen with the deceased and on the basis of the same a suspicion has been raised against the petitioner. There is no eye witness to the occurrence.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and he had active role in committing the alleged offence.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Any how, if the petitioner surrenders in the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

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