

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17936 of 2016**

Arising Out of PS.Case No. -181 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Rishikesh Kushwaha @ Rishikesh @ Rishikesh Kumar @ Rishikesh Kumar Kushwaha Son of Paras Nath Kushwaha R/o Village - Pipara, P.S. - Andar District - Siwan at present Kirani Hata Siswan Dhala, P.S. - Siwan (T), District - Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      18-07-2016                      Heard both sides.

The petitioner apprehends his arrest in Hussainganj P.S. case No. 181/2015 under Section 302/34 of the Indian Penal Code.

The FIR is against unknown. The informant alleged that three persons had called his son, Sumit Shahi, and they took his son away. The informant got information on telephone that his son was injured in an accident. During the course of treatment, his son died.

It is submitted that some of the persons, with whom the deceased had gone, disclosed that petitioner fired on the temporal region of Sumit Shahi causing his death but there is no

motive and petitioner is a minor boy. It appears that Vivek Kumar, Vimal Kirti Singh and Raushan Singh have very categorically stated, during the course of investigation, that it was the petitioner who fired from his pistol on the temporal region of Sumit Shahi and Sumit Shahi fell down on the ground. Sumit Shahi died during the course of treatment.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

BKS/-

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