

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23276 of 2016

Arising Out of PS.Case No. -209 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

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Ranjeet Rai @ Khikhar Son of Ramashray Rai Resident of Village -
Vijaiya, P.S. Mansurchak, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-05-2016 Heard learned counsel for the petitioner and counsel
for the State.

The petitioner is apprehending his arrest in connection
with Bibhutipur P.S. Case No. 209 of 2015 for offence under
Section 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case is that on 11.10.2015, when the
Informant and his family members were sleeping after taking
dinner, but on hearing sound of gun short firing, they woke up and
saw Ram Kumar Rai and Dayanand Yadav @ Pathla fleeing away
from the place of occurrence but the father of the Informant was
found dead due to gun short injury. The petitioner was not named
in the First Information Report and his name sprung during

investigation as one of the conspirator.

Learned counsel for the petitioner has submitted that only on suspicion, the accusation has been levelled and admittedly the Informant is not an eye-witness to the occurrence. A statement has been made in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

Considering the suspicious nature of accusation, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Rosera (Samastipur) in connection with Bibhutipur P.S. Case No. 209 of 2015 subjected to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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