

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10465 of 2017

Arising Out of PS.Case No. -230 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Murari Rai S/o Kedar Rai, resident of Dighi Khurd (Opposite of Circuit House), P.S.-Hajipur Sadar, District-Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anish Chandra, Advocate.

For the Opposite Party : Mr. Bharat Lal, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-04-2017 Heard both sides.

The petitioner apprehends his arrest in Hajipur Sadar P.S. Case No. 230 of 2016 registered for the offences punishable under Sections 394 and 302 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant lodged the case against unknown three persons for killing his brother.

Learned counsel for the petitioner submits that the name of the petitioner figured in the case in the confessional statement of Jyoti Kumar. Save and except the confession of Jyoti Kumar there is no material against the petitioner. Jyoti Kumar has already been granted regular bail by the Sessions Judge, Vaishali at Hajipur vide order dated 20.12.2016 passed in B.P. No. 1256 of



2016.

It appears that anticipatory bail petition of Vicky Kumar @ Pranav Rai, the similarly situated co-accused whose name also figured in the confessional statement of co-accused , was rejected vide order dated 23.12.2016 passed in Cr. Misc. No. 51575 of 2016. The case of the petitioner stands on the same footing.

Considering the facts aforesaid and the fact that the offence is of very serious nature, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and the court below shall consider the prayer for regular bail taking into consideration that similarly situated co-accused has been granted regular bail.

(Prabhat Kumar Jha, J.)

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