

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42982 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -BHELDI District- SARAN

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1. Om Prakash Rai @ Om Prakash Kumar, son of Late Chandrika Rai,
resident of Village- Paiga Sadar, P.O.- Paiga, P.S.- Bheldi, District- Saran at
Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 04-05-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Bheldi Police Station Case No. 77 of 2016, disclosing
offences under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is general and omnibus allegation against this petitioner
and no specific overt act is attributed to him. The petitioner
happens to be the brother of the husband of the deceased is an
employee of Artificial Limbs Manufacturing Corporation of
India and he does not live with his brother, therefore, he has no
concern with the alleged occurrence. Hence, the petitioner
deserves the privilege of anticipatory bail.



Learned A.P.P. has opposed the prayer for bail of this petitioner and submitted that witnesses have supported the prosecution version which is evident from paragraphs 13 and 15 of the case diary.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail of this petitioner. Accordingly the prayer for anticipatory bail of this petitioner is, hereby, rejected.

(Arvind Srivastava, J.)

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