

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51226 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -BIHPUR District- BHAGALPUR

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1. Sohan Rai, S/o Bhikho Rai, resident of Village- Pakra, P.S.- Naugachia,
District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 28-01-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

When brother of the informant was going on a four wheeler, another four wheeler overtook his vehicle and two persons came out of the vehicle and fired at the brother of the informant Pramod Rai as a result whereof he died. The informant is eyewitness of the occurrence, however, he has not stated the name of the assailants. Two other persons were also on the same vehicle on which the deceased was traveling. They stated before the police that other named accused persons had caused the



alleged crime. Name of the petitioner transpired in the confessional statement of the co-accused.

Submission of the petitioner is that reason for the occurrence as alleged in the F.I.R. is dispute during election of the member of District Board. Submission is that the petitioner was not a candidate nor any other family member of the petitioner was a candidate. Similarly situated co-accused has already been allowed anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No.44788 of 2016 on 10.01.2017.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 learned Additional Chief Judicial Magistrate, Naugachia, Bhagalpur/Successor Court in connection with Bihpur (Jhandapur) Police Station Case No.73 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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