

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35261 of 2017

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

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Vijay Kumar, Son of Dharmnath Rai, R/o Village- Gauspur Izara, P.S.-
Hajipur Sadar, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party : Mr. Anand Kishore Choudhary (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Hajipur Sadar P.S. Case No. 230 of 2016 (G.R. No. 2543 of
2016) registered for the offences punishable under Sections 394,
302 of the Indian Penal Code and Section 27 of the Arms Act.

This case has been lodged by the informant against
three unknown persons for killing his brother and the name of the
petitioner transpired in the confession of Jyoti Kumar.

Submission is of false implication and that save
and except the confessional statement of Jyoti Kuamr there is no
other material against the petitioner. Jyoti Kumar has already been
granted regular bail by learned Sessions Judge, Vaishali at



Hajipur, vide order dated 22.12.2016 passed in B.P. No. 1256 of 2016 and prayer of anticipatory bail of Vicky Kumar and Murari Rai have already been rejected by this Court.

In the facts and circumstances as stated above, considering the seriousness of the offence, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with Hajipur Sadar P.S. Case No. 230 of 2016, pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

However, if the petitioner surrenders before the Court below within four weeks from the date of receipt/production of a copy of this order then his prayer for regular bail shall be considered taking into consideration that similarly situated co-accused have been granted regular bail.

(Jitendra Mohan Sharma, J.)

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