

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59442 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -SRINAGAR District- WEST CHAMPARAN
(BETTIAH)

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Ramdeo Rao, son of Late Maina Rao, resident of Village- Jagadishpur
Paterwa, Police Station- Srinagar (Pujaha), District- West Champaran at
Bettiah.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Sushil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection
with Srinagar (Pujaha) P.S. Case No. 85 of 2017 registered
under Sections 302 read with 34 of the Indian Penal Code and
Section 27 of the Arms Act.

It is submitted by the learned counsel for the
petitioner that from the first information report itself, it would be
manifest that the petitioner is an old man aged about 75 years



and he is said to be merely an order giver.

On the other hand, learned counsel for the informant vehemently opposed the application for grant of pre-arrest bail to the petitioner. He submitted that the petitioner is a habitual offender and prior to this case also he was made accused in a case registered under Section 302 of the Indian Penal Code.

Be that as it may, regard being had to the gravity of the offence in which one person was shot dead and another injured is undergoing treatment, I am not inclined to grant pre-arrest bail to the petitioner even though he is said to be an order giver. The application is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by order of this Court.

(Ashwani Kumar Singh, J.)

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