

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48982 of 2016

Arising Out of PS.Case No. -54 Year- 2016 Thana -MANER District- PATNA

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1. Pintu Rai S/o Keshav Rai @ Keshav Prasad Rai R/v - Dumaria Tata Colony, P.S. Manner, Distt. Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Maner P.S. Case No. 54 of 2016 for the offences punishable under sections 302, 328 of the Indian Penal Code pending in the court of Sri Randhir Kumar, Judicial Magistrate, 1st Class, Danapur.

It has been submitted on behalf of the petitioner that earlier an U.D. case was filed in this case but later on a first information report has been lodged in which suspicion has been raised against the petitioner that he had taken the deceased and thereafter he has caused his death by poisoning him. It has further been submitted that even from the post mortem report it appears



that the doctor has not found the death due to poisoning. As such the petitioner has been falsely implicated in this case.

Heard learned A.P.P. also who has opposed the prayer for anticipatory bail on the ground that the petitioner is named in the F.I.R. and as such he is not entitled for grant of anticipatory bail.

Having heard both sides and in view of the fact that the petitioner is named in the first information report and a strong suspicion has been shown against him and the investigation is still going on, I am not inclined to grant anticipatory bail to the petitioner. His prayer for grant of anticipatory bail is, accordingly, rejected.

However, the petitioner may surrender and pray for regular bail which will be considered and disposed of by the court below on its own merit without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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