

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21457 of 2017

Arising Out of PS.Case No. -209 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

=====

Ram Kumar Rai Son of late Bharat Rai Resident of Village- Damodarpur,
P.S. Bibhutipur, District Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shikha Roy, Advocate

For the Opposite Party/s : Mr. Ataur Rahman, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Bibhutipur P.S. Case No. 209/2015 for the offences
punishable under Sections 302/34 of the Indian Penal Code and 27
of the Arms Act.

According to FIR the informant heard the sound of
firing. When he woke up he saw the petitioner and co-accused
Dayanand Yadav were fleeing from there, causing fire-arm injury
to his father who died of the said injury.

Submission of the learned counsel for the petitioner is
that there is no eye-witness of the occurrence and for old dispute
the false implication is there. In fact the informant is not eye



witness of the case. At this stage statement of informant cannot be disbelieved.

Considering the aforesaid materials against the petitioner, I am not inclined to grant anticipatory bail to the petitioner in connection with Bibhutipur P.S. Case No. 209/2015 pending in the Court of learned Additional Chief Judicial Magistrate-III, Rosera (Samastipur).

(Birendra Kumar, J)

veena/-

U			
---	--	--	--

