

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15221 of 2017

Arising Out of PS.Case No. -45 Year- 2013 Thana -DHOLBAJJA District- BHAGALPUR

=====

BABLU RAI @ BABLA RAI @ BABULAL RAI Son of Shri Shali Rai @
Shailendra Rai, Resident of Village-Thakurjee Kachahari tola Kadwa P.S.
Dholbajja (Kadwa) District-Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 03-07-2017 Heard both sides.

The petitioner apprehends his arrest in Dholbajja
(Kadwa) P.S. Case No. 45/2013, registered for the offences
punishable under Section 302 and other sections of the Indian
Penal Code.

The informant wife of the deceased made specific
allegation that the petitioner fired at her husband, thereafter other
accused persons named in the F.I.R. made indiscriminate firing.

Learned counsel for the petitioner submits that the
petitioner was not present at the place of occurrence. The police
accepted the plea of alibi of the petitioner and submitted final form
finding the case false against the petitioner, but the Judicial



Magistrate took cognizance against the petitioner also.

Learned A.P.P. vehemently opposed the prayer for anticipatory bail of the petitioner.

From perusal of the F.I.R. and the order of the learned Sessions Judge, it appears that there is specific allegation against the petitioner that petitioner firstly fired at the deceased and thereafter, named accused persons fired. During the course of investigation, the witnesses have also stated that it was the petitioner who fired.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--

