

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55594 of 2016**

Arising Out of PS.Case No. -134 Year- 2016 Thana -MUSAHRI District- MUZAFFARPUR

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Gunjan Kumar, alias Chhotu Kumar @ Chhotu Son of Late Sudhir Kumar  
Singh, of Village- Roma Aapuch, P.S.- Mushahari, District- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Sharma, APP  
For the Opposite Party/s : Smt. Indu Bala Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

3      06-02-2017                      Heard the learned counsel for the petitioner and the  
learned APP for the State.

The petitioner apprehends his arrest in connection with  
Mushahari P.S. Case No. 134 of 2016 registered under Sections  
302, 120B, 34 of the Indian Penal Code and section 27 of the  
Arms Act.

Allegation against the petitioner, in brief, is that the  
deceased was taken by two accused persons, namely, Chandan and  
Rakesh and when the wife of the deceased was talking on mobile  
phone, some firing sound was heard and she suspected about  
killing of her husband by accused Anjani Thakur and others.

The learned counsel appearing on behalf of the  
petitioner submits that there is no eye witness in this case and  
during the course of investigation it transpires that only Anjani  
Thakur had shot at him and this petitioner was not along with  
them and he has no criminal antecedent.

Considering the material available in the case diary  
showing that due to some money transaction, the informant's



husband was eliminated, though during the course of investigation the case diary shows that Anjani Thakur in association with petitioner and others shot at him, so I am not inclined to admit the petitioner on anticipatory bail in connection with Mushahari P.S. Case No. 134 of 2016, pending in the court of learned Sub-Judge III, Muzaffarpur.

However, if the petitioner surrenders in the court below and seeks regular bail, then the same shall be considered on its own merit without being prejudiced by this order.

**(Arun Kumar, J)**

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