

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28703 of 2017

Arising Out of PS.Case No. -108 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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1. Sunni Kumar @ Sanjeev Kumar Srivastava Son of Sailendra Kumar Srivastava@ Mohanlal Resident of Mohalla- Gola Mohalla, P.S.- Ara town, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-08-2017 Heard both sides.

The petitioner apprehends his arrest in Ara Town P.S. case No. 108 of 2017 for the offences punishable under Section 302/34 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that his son, Prince Kumar @ Mithu, went to attend the marriage of Suman Kumar @ Chhote to Gola Mohalla. It is further alleged that while the son of informant was standing by the side of stage, Sunni Kumar, brother-in-law of bride groom, and his other friends made indiscriminate firing. One of the shot hit the son of informant and son of informant died.

The learned counsel for the petitioner submits that



from perusal of paragraph 21 and onwards of the case diary, it would appear that firing was made from the side of the bride and not from the side of bride groom. The petitioner happens to be brother-in-law of bride groom. No specific allegation of firing is made against the petitioner but from perusal of the case diary it appears that at the initial stage of the investigation many witnesses have stated that petitioner and other relations of the bride groom made indiscriminate firing at the time of Jaimal but later on second version came stating that brother and other relations of the bride made firing.

Considering the facts that during the course of investigation some of witnesses have also stated that it was the petitioner and other relatives of the bride groom who fired causing injury to Prince Kumar @ Mithu and he died on the spot, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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