

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60834 of 2018

Arising Out of PS.Case No. -62 Year- 2015 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Ganesh Pandey, Son of Late Rameshwar Pandey, Resident of Village-
Dadhiya Ashadhar, P.S.- Angarghat, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, advocate

For the Opposite Party/s : Mr. Anil Kumar Singh APP 232

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 03-10-2018

Heard both sides.

The petitioner apprehends his arrest in Samastipur
(Muffasil) P.S. case No. 62 of 2015 for the offences punishable
under Section 302/34 of the Indian Penal Code and under Section
27 of Arms Act.

The learned counsel for the petitioner submits that
the prayer of petitioner for anticipatory bail was earlier rejected by
this court vide order dated 05.10.2015 passed in Cr. Misc. No.
40705 of 2015 but during the course of investigation the petitioner
was not found present on the place of occurrence. The plea of alibi
of petitioner has been found to be correct but it appears that the
informant has very categorically named the petitioner and alleged



that while he was going along with his brother-in-law the petitioner and other accused persons made indiscriminate firing causing death of his brother-in-law. The prayer of petitioner for anticipatory bail was rejected on 05.10.2015 but since then the petitioner has not appeared in the court.

Taking into consideration the facts aforesaid and the fact that there is specific allegation that it was the petitioner who fired, I do not find any new material to reconsider the prayer of petitioner for anticipatory bail. Accordingly, the same is once again rejected.

(Prabhat Kumar Jha, J)

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