

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40263 of 2018

Arising Out of PS.Case No. -263 Year- 2017 Thana -GAURICHAK District- PATNA

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1. Baua Rai @ Santosh Kumar, S/o Shankar Ray, R/o Mohalla-Yadavchak, P.S. Parsa Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Babu, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Gaurichak P.S.Case No. 263 of 2017, registered for offences punishable under Sections 302 and 120 (B) /34 of the Indian Penal Code.

Allegation against the petitioner and other co-accused persons is that they have caught holds the son of the informant and murdered by throttling and thrown into the water, due to which he died.

Submission of the learned counsel for the petitioner is that there is no eye witness of the occurrence nor the medical report suggests the death of the deceased was due to throttling. It is also submitted that the similarly co-accused person has been



granted privilege of regular bail vide order dated 08.03.2018 passed in Cr. Misc. No. 63049 of 2017.

Learned A.P.P. opposes the prayer for.

Having heard both sides and in view of the facts and circumstances, as discussed above, I am not inclined to grant bail to the petitioner and if the petitioner surrender before the Court below and makes prayer for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

With this observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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