

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55663 of 2018

Arising Out of PS. Case No.-267 Year-2017 Thana- RAMPUR District- Gaya

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Mahesh Saw Son of Basudeo Saw Resident of Village Pipara, P.S. Tunkupa,
District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 18-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that while the informant was returning from railway station, the accused persons, variously armed, fired at the son-in-law of the informant due to which he succumbed to the injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No specific injury has been attributed against the



petitioner nor there is any substantive evidence to implicate the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is also alleged to have fired in course of occurrence which led to the death of the deceased. The same is evident from the F.I.R. as well as the order of the Sessions Court.

Considering the same, I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected.

(Sudhir Singh, J)

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