

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40277 of 2018

Arising Out of PS.Case No. -157 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Ajay Rai @ Ajay Ray @ Ajay Kumar Roy, Son of late Babu Lal Rai,
resident of Village- Hasanpur, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Mahua P.S.Case No.157 of 2016 registered for offences punishable under Sections 147, 148, 149, 307 and 302 of the Indian Penal Code.

Allegation against the petitioner is that he along with the several other accused persons came on a vehicle and made indiscriminate firing causing death of the deceased.

Submission of the learned counsel for the petitioner is that the statement of the informant was recorded under Section 164 of the Cr.P.C., in which he has not named the petitioner and further stated that at the instance of Binod Kumar Rai he has named the petitioner as the petitioner had lodged a case against Binod Kumar



Rai, which will appear from Annexure-2 and the witnesses in this case are accused in that case.

Heard learned A.P.P. as well as the learned counsel for the informant. They have opposed the prayer for bail stating that the process under Section 82 and 83 has already been issued and the charge-sheet has been submitted showing him absconder.

Having heard both sides and in such view of the matter, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on the basis of the submissions as stated above and considering the same and other materials he will pass appropriate order, if possible on the same day.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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