

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60166 of 2017

Arising Out of PS. Case No.-145 Year-2017 Thana- BOCHHA District- Muzaffarpur

Jai Ghanshyam @ Jai Ghanshyam Patel, son of Ramdeni Rai, R/o Village-
Chaupar Madan, P.S.- Bochaha, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :

Mr. Ajay Kumar Thakur
Mrs. Babita Kumari,
Mr. Amit Kumar

For the Opposite Party/s :

Mr. PRADEEP NARAIN KUMAR, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 29-01-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

This is an application for grant of anticipatory bail in connection with Bochaha P.S. Case No. 145 of 2017 registered for the offence punishable under Sections 302, 307, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is conspiring with the other accused persons and giving effect to the alleged occurrence in which two persons died on account of gun shot injury. It has been further alleged that during the confessional statement of one Monu Mishra, the name of the petitioner herein transpired and he is said to be the person who had hired the criminals for killing the deceased person in exchange of giving them a sum of Rs. 7 lakhs.



Learned counsel for the petitioner submits that the police had submitted final form against all the F.I.R. named accused persons except the petitioner herein and had kept the investigation open as against him whereafter on the basis of confessional statement of one co-accused Monu Mishra, it had transpired that the petitioner was the main person who had given effect to the said occurrence. However, when the father of said Monu Mishra had filed a petition before the Court of learned Chief Judicial Magistrate regarding the Police having illegally detained the said Monu Mishra, the said Monu Mishra was produced before the Court and he has also been granted bail. It is further submitted that the petitioner was not present at the place of occurrence and no allegation has been levelled against him with regard to giving any gun shot blow on the deceased.

I have considered the materials on record and it appears from the case diary that as far as the petitioner is concerned, charge-sheet has also been filed by the Police and the Police has found the allegations to be true as against the petitioner herein. I further find that two persons have died and the complicity of the petitioner cannot be ruled out.

Hence, I do not deem it fit and proper to enlarge the petitioner on anticipatory bail. Accordingly, the anticipatory bail



petition of the petitioner is rejected.

(Mohit Kumar Shah, J)

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