

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6793 of 2018

Arising Out of PS. Case No.-52 Year-2017 Thana- BRAHAMPUR District- Buxar

Santosh Singh, Son of Sri Ram Singh, Resident of Village- Rahathua, P.S.-
Brahampur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Shri Markandey Singh, Advocate Shri Anil Kumar, Advocate
For the Opposite Party/s :		Sri Abhay Kumar – 1, Advocate

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 12-02-2018 Heard Shri Markandey Singh, learned counsel, assisted by
Shri Anil Kumar, learned counsel for the petitioner and Shri
Abhay Kumar No. 1, learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in Brahampur
P.S. Case No. 52 of 2017 registered for the offence under
Sections 302/34 of the Indian Penal Code, 1860 and Section 27
of the Arms Act, 1959 has prayed for grant of bail in the event
of his arrest or surrender.

Learned counsel for the petitioner by way of referring to
the FIR submits that story of the prosecution appears to be not
believable since it was alleged by the informant that he had seen
that his father was fleeing away on foot whereas four accused
persons on two motorcycles were chasing and thereafter he



was fired by two accused. Though it was alleged that petitioner was also having pistol in his hand there was no allegation of firing. He further submits that there was old animosity in between the parties and earlier a case was instituted against the deceased on allegation of forcefully snatching rifle of the petitioner. He further submits that Police after investigation had submitted final report, however learned Magistrate differing with the Police report has passed order of cognizance.

Besides hearing learned counsel for the parties, I have also perused the materials available on record. On going through the FIR, I am of the view that it is not a case for grant of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

praful/-

U		T	
---	--	---	--

