

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3939 of 2019

Arising Out of PS. Case No.-136 Year-2018 Thana- MUFFASIL District- West Champaran

Anil Rai @ Chandrakesh Rai, son of Bidyanand Rai, Resident of Village-
Dabariya, P.S. Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-03-2019 The petitioner apprehends his arrest in connection with Bettiah Muffasil P.S.Case No. 136 of 2018 registered under Sections 302/34 of the Indian penal Code and 27 of the Arms Act.

Allegation as per FIR is that while the informant was coming along with his brother on motorcycle, two persons came from behind and one Radhe Shyam fired on his brother Ganesh Chaudhary due to which he died.

Submission of learned counsel for the petitioner is that petitioner is not named in the FIR and he has falsely been implicated and even the witnesses have not stated about him.

Heard learned APP also who has drawn my attention towards para no. 11 and 14 of the case diary to show that witnesses have stated that it is the petitioner who dashed the



motorcycle of the deceased due to which he fell down and thereafter Radhe Shyam Choudhary fired at him indiscriminately.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to him. Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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