

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25313 of 2019

Arising Out of PS. Case No.-207 Year-2018 Thana- HATHUA District- Gopalganj

RAVI KUMAR RAI, Son of Jayprakash Rai, Resident of Village - Mirjapur
Nangaura Tola, P.S.- Hathwa, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 29-07-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Hathwa P.S. Case No.207 of 2018
registered for the offence punishable under Sections 279 and
304 of the Indian Penal Code.

The prosecution case in brief is that on 23.11.2018 at
1.15 pm the informant had taken his grandson to field near
panchayat bhavan for playing. At that time his co-villager Ravi
Kumar Rai (petitioner) came on Bolero which was without
number plate and because of previous enmity with intention to
kill his grandson he pushed him down and crushed him by
Bolero vehicle. Thereafter blood started oozing out from the
ears of his grandson and he died on spot.

Learned counsel for the petitioner submits that the



FIR gives an exaggerated version of the occurrence. The police has not seized any vehicle nor the details of its ownership has been mentioned in the FIR.

Learned APP for the State submits that the allegation is that while the victim was playing in the field, the petitioner came there with Bolero vehicle and out of enmity pushed him down and crushed him after backing the vehicle.

In the given facts and circumstances where there is specific allegation against this petitioner that he had pushed down the grandson of the informant and then had crushed him knowingly, this Court is not inclined to grant anticipatory bail to the petitioner.

This application is dismissed.

In case the petitioner surrenders in the court below within a period of six weeks from today and prays for regular bail the same shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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