

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19635 of 2019**

Arising Out of PS. Case No.-342 Year-2018 Thana- TAJPUR District- Samastipur

RAHUL KUMAR @ RAHUL RAJ, S/o Raj Kumari Rajak, R/o Mohalla-
Kashipur, Ward No. 11, P.S.- Town, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Zeyaul Hoda
For the Opposite Party/s : Mr.Ashraf Ansari

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 14-05-2019 Petitioner seeks bail in anticipation of his arrest in connection with Tajpur P.S. Case No. 342 of 2018 registered for the offences punishable under Sections 302/34, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR is that some miscreants came at the shop of the informant armed with pistol near NH 28, Tajpur and shot dead the husband of the informant and fled away and during investigation name of petitioner transpired in the confessional statement of Ejaz Tabish.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and petitioner has inimical term with the said Ejaz Tabish and petitioner was not present at the time of occurrence, rather he was outside for treatment of his wife and moreover one co-accused has been granted provisional



bail and the case of the petitioner stands on better footing than that of co-accused.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail of the petitioner stating that not only there is confessional statement of co-accused disclosing the hands of the petitioner but CDR location also disclosed the presence of the petitioner at the place of occurrence and he was in touch with the accused persons, as such he does not deserve anticipatory bail.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. He may move for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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