

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25006 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ankit Kumar @ Arav Kumar, Son of Ram Pravesh Choudhary, Resident of
village- Bishanpur, P.S.- Barauni (Chaika O.P.), District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Rama Kant Sharma, Sr. Advocate
For the Opposite Party/s	:	Mr.Rajendra Nath Jha, APP
For the Informant	:	Mr. Brajesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-07-2019 Heard learned Senior Counsel for the petitioner,

learned APP for the State as also learned counsel representing

the informant.

The petitioner in the present case is seeking
anticipatory bail in connection with Muffasil P.S. Case No. 45 of
2019 registered for the offences punishable under Sections
302/34 of the Indian Penal Code and Section 27 of Arms Act.

Learned Senior Counsel for the petitioner submits that
so far as this petitioner is concerned, in the FIR there is no
allegation of causing overt act against him. According to him,
the petitioner has been falsely implicated because he had gone
there to the house of Rajesh Singh who happened to be a
relative of the petitioner.



Learned APP for the State as well as learned counsel representing the informant have opposed the prayer for anticipatory bail.

Referring to the materials collected in course of investigation, learned counsel for the State submits that in Paragraph 70 and 71 of the case diary two witnesses have stated to have seen this petitioner fleeing away and quarreling with the deceased at the time of occurrence.

Considering the facts and circumstances of the case, where some materials have come against the petitioner and the witnesses have claimed to have seen him fleeing with the main assailant Rajesh Singh, this Court is not inclined to grant the privilege of anticipatory bail. Prayer is refused.

In case the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, his prayer of regular bail shall be considered by the court below without being prejudiced by the order of this Court .

(Rajeev Ranjan Prasad, J)

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