

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39849 of 2019**

Arising Out of PS. Case No.-76 Year-2019 Thana- CHARPOKHARI District-
Bhojpur

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RAHUL KUMAR SINGH, male, aged about 32 years, S/o Agreyanand Singh
R/o village- Ittaur, P.S.- Charpokhari, District- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sada Nand Roy, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 23-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 302, 120(B), 506/34 of the Indian Penal
Code and Section 27 of the Arms Act registered in connection
with Charpokhari P.S. Case No. 76 of 2019.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion, except which there is objective
material to connect the petitioner with the alleged occurrence as
the informant is not an eye witness. In any event the main
assailant is co-accused Anish Kumar Singh who is said to have
fired upon the deceased whereas the petitioner is said to have
been on motorcycle with the said co-accused Anish Kumar Singh.
It is submitted that the informant has past enmity with Anish



Kumar Singh and in that connection criminal case had also been lodged.

4. Learned APP submits on the basis of case diary that the petitioner and co-accused Anish Kumar Singh came together on motorcycle and stopped the informant, threatening him not to depose in court. On the petitioner's instigation, co-accused Anish Kumar Singh took firearm and shot the informant's brother leading to his death. The post mortem report corroborates the accusation of firearm injury causing death of the informant's brother.

5. Having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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