

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46070 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- BARHARA KOTHI District- Purnia

Babloo Sah @ Babul Kumar @ Bablu Roy @ Babul Roy, Son of Yogendra Roy, Resident of Village - Rajghat, P.S.- Barhara (Raghubansh Nagar), District- Purnia

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner in the present case is seeking anticipatory bail in connection with Barhara (Raghubansh Nagar) P.S. Case No. 62 of 2019 registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that there are general and omnibus allegations of causing indiscriminate firing killing three persons against altogether 8 named accused persons and 10-15 unknown persons. Learned counsel submits that there is no specific allegation against the petitioner of firing upon the deceased and there is no eye witness to the occurrence.



Learned APP for the State has opposed the prayer for anticipatory bail as according to him in course of investigation police has collected materials and one of the co-accused namely Sharma Nand Yadav has stated that this petitioner was involved in conspiracy and he has called this petitioner as shooter.

Considering the facts and circumstances of the case, wherein in course of investigation the name of this petitioner has transpired as shooter and three persons have been killed in indiscriminate firing and that the petitioner is named in the FIR as one of the persons who was involved in alleged firing, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner. The application is dismissed.

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

(Rajeev Ranjan Prasad, J)

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