

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55311 of 2019

Arising Out of PS. Case No.-160 Year-2012 Thana- PALIGANJ District- Patna

SRIKANT DAS Son of Late Bhutali Das Resident of Village - Dariyapur,
P.S.- Pipra, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Veena Rani Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Paliganj P.S. Case No.160 of 2012 registered under Sections 302/34 of the Indian Penal Code besides Section 27 of the Arms Act, pending in the court of the Sub Divisional Judicial Magistrate, Danapur, Patna.

The accusation is that on 20.07.2012 at about 08.30 P.M., the informant Kaushalya Devi along with her husband Satyanarayan Sao, daughter and family members were sitting at her house and talking about the restriction made by the extremists on her land and on the land of Nawal Singh. At that time, 17 persons, named in the F.I.R., including the petitioner came there and started to abuse. At that time, Pradeep Paswan fired from his pistol, which hit on the



chest of the husband of the informant, due to which he fell down on the ground. Thereafter, this petitioner and Surendra Paswan took the husband of the informant to lane by dragging and fired from their rifle on his chest, due to which he died.

Learned counsel appearing on behalf of the petitioner submits that while in the First Information Report, there is allegation against the petitioner to take the husband of the informant by dragging to lane and caused firearm injury to him but in his post-mortem report, no firearm injury was found.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

