

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52085 of 2019

Arising Out of PS. Case No.-345 Year-2019 Thana- MAHUA District- Vaishali

=====

Gunjeshwar Rai Son of Late Ram Ayodhya Rai, Resident of Village - Rampur
Jaiti, P.S.- Dariyapur, Distt – Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Ramchandra Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-08-2019 Heard both sides.

The petitioner apprehends his arrest in Mahua P.S.
Case No.345 of 2019 registered under Sections 302 and 34 of
the Indian Penal Code.

The informant, in sum and substance, alleged that his
son Anand Kumar had gone to attend the marriage ceremony of
Saurabh Kumar (son of the petitioner). One Mantu Singh was
carrying gun and on the order of Gunjeshwar Rai (petitioner),
Mantu Singh fired, which hit the son of the informant and the
son of the informant became seriously injured. He was referred
to P.M.C.H. and during treatment the son of the informant died.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in the



case only with a view to defame the prestige of the petitioner. The informant is co-villager of the petitioner and the son of the informant was not an invitee to the marriage. The marriage of the son of the petitioner was solemnized on 29.05.2019 with the daughter of Lal Dev Rai of village Mukundpur Hirpur Patab, P.S.-Sarai, District-Vaishali and, therefore, the allegation of firing was made at the instance of the petitioner is false and concocted. The F.I.R. itself was lodged after two weeks of the occurrence, hence, the petitioner deserves anticipatory bail.

It appears from perusal of the F.I.R. itself, that it was the petitioner, who ordered Mantu Singh to fire on the marriage ceremony only for revelation and on such Mantu Singh, who was carrying gun, made firing which hit the son of the informant. The son of the informant became seriously injured and during treatment he died on 15.06.2019 and on the same day the informant made his fardbeyan on the basis of which the present F.I.R. was lodged. This trend of firing for revelation in marriage caused many deaths even then this trend is still continuing in marriage ceremony. It was the petitioner, who ordered for firing on the eve of marriage of his son causing death of the son of the informant.

Having considered the facts aforesaid, I am not



inclined to enlarge the petitioner on anticipatory bail.
Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Harish/-

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

