

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76661 of 2019**

Arising Out of PS. Case No.-380 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RANJAN KUMAR @ AMIT RANJAN KUWAR@Amit Ranjan kumar S/o
Rajiv Kuwar R/o village- Kaithama, P.O.- Badalpura, Bishunpur, Mirzapur,
Banduar, P.S.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 17-12-2019 This application, for grant of anticipatory bail, arises
out of Begusarai Muffasil P.S. Case No. 380 of 2019, disclosing
offences under Sections 302/34 of the Indian Penal Code and Section
27 of the Arms Act.

Prosecution case is that informant received information
about the murder of his younger brother, on which, he along with
others went to the village Kaithma and came to know that his
younger brother and his friend Anmol Kumar were going on foot and
about 3.00 P.M., when they were reached to home and in the way, he
met with the petitioner, who was going along with his wife, brother
of informant made some gesture, which caused annoyance to the
petitioner and in the evening of 25.07.2019, petitioner and others
came and brutally assaulted the brother of informant by means of
fists and slaps and it is also alleged that on the order of the petitioner,



other accused persons fired on the brother of informant causing his death.

Submission of learned counsel for the petitioner is that at best the petitioner is the order giver and there is no allegation against him of firing on the deceased.

Learned A.P.P. as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner on the ground that one day prior to the occurrence, the petitioner has threatened the deceased to kill him and though, there is no allegation of firing on the petitioner but he is the person, who conspired the murder of the deceased.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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