

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4445 of 2020

Arising Out of PS. Case No.-348 Year-2019 Thana- MINAPUR District- Muzaffarpur

Maya Shankar Rai @ Maya Shankar Ray, Son of Late Rambabu Rai Resident
of Village - Turki Dakbanglow, P.S.- Meenapur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302/34 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the fardbeyan of Vijay Kumar, recorded on 01.07.2019 at S.K.M.C.H., Muzaffarpur by Vaneshwar Kisun, S.I. of Ahiyapur Police Station is to the effect that three months prior to the lodging of the FIR, the informant had received a phone call for extortion of Rs. 10 lacs from one Rakesh Rai, who also gave life threatening to the informant. On 01.07.2019, the informant heard the sound of gunshot firing and when the informant reached at the shop of Rajendra Saw then he saw all the four accused persons including the petitioner running



away from the place of occurrence and the brother of the informant Ajay Ram was lying with gunshot injury, who suggested the name of all the four accused persons including the petitioner who caused him gunshot injury. Thereafter, the informant brought his brother to the hospital, where he was declared dead.

It is submitted by learned counsel for the petitioner that the informant is not the eye-witness to the alleged occurrence whereas general and omnibus accusation of resorting to fire is made against all the accused persons. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the fact that the informant is not the eye witness to the occurrence and the accusation against the petitioner is omnibus and general, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to



the satisfaction of learned Chief Judicial Magistrate,
Muzaffarpur in connection with Meenapur P.S. Case No. 348 of
2019, subject to the condition as laid down under Section 438(2)
of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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

