

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12101 of 2020

Arising Out of PS. Case No.-20 Year-2017 Thana- JURAWANPUR District- Vaishali

Birchand Rai @ Birchandra Rai @ Dipchandra Rai @ Karu Rai S/o Braj Kishore Rai Resident of Village- Shiv Nagar, Jurawanpur Barari, P.S.- Jurawanpur, Distt- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit, Adv.
Mr. Manoranjan Kumar, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 05-12-2020 Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jurawanpur P.S. Case No.20 of 2017, registered under sections 307, 341, 323, 324, 325, 379, 504 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R., over differences relating to being the Chairman in the school, it is stated that Brij Kishore Rai caught hold of the informant and on his instigation the petitioner fired from his gun hitting the informant as a result of which he fell on the ground.

It is submitted by learned counsel for the petitioner that



the allegations as levelled in the F.I.R. are false and concocted. It is further submitted that the petitioner has no concern with the post of Chairman of the school. The main differences if any, is between the informant and Brij Kishore Rai and even the injury report which has come in course of investigation does not support the prosecution case in so far as neither there is blackening nor there is any wound of exit.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation against the petitioner in the F.I.R. of having fired on the informant and a corresponding injury having been found in the injury report, this Court is not inclined to enlarge the petitioner on anticipatory bail and as such the application for anticipatory bail is rejected.

(Partha Sarthy, J)

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