

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14605 of 2020

Arising Out of PS. Case No.-437 Year-2019 Thana- KESARIA District- East Champaran

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AJAY KUMAR Son of Ram Ayodhya Sah Resident of Village - Basantpur
Patti, P.S. - Saraiya, District – Muzaffarpur. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Arun Kumar Pandey, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kesariya PS case no. 437 of 2019 registered for the offences punishable under Sections 394, 307/120B of Indian Penal Code and 27 of Arms Act.

The case of the prosecution in brief is that on 05.09.2019 at about 7.15 pm, while the brother of the informant was going to Keshariya from his house on a motorcycle, three unknown miscreants had come on a motorcycle and had opened fire from the firearm resulting in the brother of the informant sustaining injury and falling down from the motorcycle,



whereafter the villagers had chased the miscreants, however one of the miscreants had got down near Hussaini Bazar and had sat in a red-coloured car, whereafter the said car had proceeded towards Keshariya, however the villagers had informed the police and during the course of checking, the vehicle of the co-accused person namely Indrajeet Kumar was apprehended and the said Indrajeet Kumar was arrested, however the petitioner managed to flee away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he has been roped in the present case merely on suspicion.

Having heard the learned counsel for the parties and having considered the materials available on record, apart from perusing the case diary, this Court finds that the complicity of the petitioner is writ large and moreover, he is an accused in two other cases, hence this Court does not find the present case to be a fit case for grant of anticipatory bail. Thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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