

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16192 of 2020

Arising Out of PS. Case No.-188 Year-2019 Thana- BANIAPUR District- Saran

Sonu Kr. Srivastava Son of Late Dinbandhu Prasad Srivastava Resident of
Village - Harpur, P.S.- Baniyapaur, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 04-09-2020 Heard learned counsel for the parties through video conferencing.

The petitioner apprehends his arrest in Baniyapur P.S.
Case No. 188 of 2019 registered for the offence under Sections
147, 148, 149, 341, 323, 307, 302, 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, while the informant
alongwith one Rajendra Mishra was sitting in the compound of
his house, the FIR named accused came there and on the order
of co-accused Mala Devi, co-accused Deepak Kumar Manjhi
fired upon him (informant), but it passed by the side of his
temple. Thereafter, it is alleged that elder brother of informant
(deceased) came to save informant, then co-accused Sudhir
Kumar Lal and petitioner caught him and another co-accused
Hare Krishna Srivastava fired on his chest, as a result of which,
he died.



It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case. Both parties are co-villagers and specific allegation of firing on the chest of elder brother of informant is against co-accused Hare Krishna Srivastava. It is further submitted that only ornamental allegation is against petitioner that he alongwith other co-accused had caught hold of the deceased. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as the fact that there is specific allegation against the petitioner of catching hold of the deceased, the anticipatory bail application of the petitioner stands dismissed.

(Prabhat Kumar Singh, J.)

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