

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32200 of 2019

Arising Out of PS. Case No.-344 Year-2018 Thana- RUPASPUR District- Patna

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DEO @ DEO KUMAR, Son of Shri Ashok Kumar, age 22 years, Resident of
Mohalla- Machhali Gali, P.S.- Shashtri Nagar, District- Patna, A/p Raja Bazar
Salempur Dumri, P.S.- Hawai Adda, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

6 15-07-2020 Heard learned counsel for the petitioner as well as

learned A.P.P.

There happens to be an allegation against the
petitioner to have shot at the informant twice, which is
corroborated by the injury report, alongwith others.

Learned counsel for the petitioner has submitted
that for the same occurrence whereunder prosecution party
being an aggressor committed crime causing injury to petitioner
side and on account thereof, Rupaspur P. S. Case No. 343/2018
has been registered. After coming to know about the same,
this case has purposely been lodged in order to make out a
defence case. It has also been submitted that considering
the aforesaid event other co-accused have already



been granted anticipatory bail vide order dated 18.12.2018 under Cr.Misc.No. 70972/2018. That being so, it happens to be a fit case whereunder the petitioner should be released on an anticipatory bail.

Learned A.P.P. opposed the prayer and submitted that there happens to be specific allegation against the petitioner to be an assailant of the informant by way of firearm and the injury is duly corroborated by the medical report. Others did not carry specific allegation. So, there happens to be clear case of distinction in between.

In the aforesaid facts and circumstances of the case, the prayer for anticipatory bail is rejected.

That being so, the interim relief granted vide order dated 8.8.2019 is hereby recalled.

(Aditya Kumar Trivedi, J)

Surendra/-

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