

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63155 of 2019

Arising Out of PS. Case No.-142 Year-2019 Thana- PATORI District- Samastipur

SHOSHINDRA RAI @ SHOSHINDRA RAY Son of Late Munilal Ray
Resident of Village- Chapra, currently residing at DakshinDumri, Block-
ShahpurPatori, P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 12-06-2020 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, requiring social distancing.

Heard the learned counsel for the petitioner and Smt. Anita Kumari Singh, the learned APP appearing for the State.

The petitioner apprehends his arrest in connection with Patori P.S. (Mohanpur O.P.) Case No.142 of 2019 (G.R. No. 822 of 2019), for the offence punishable under Sections 379, 504, 506 and other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons having armed with rifle and pistol in their hands, surrounded the



informant, whereafter one of the accused persons is stated to have asked for some money and threatened the informant that in case some amount is not paid, they would kill him. It is further alleged that co-accused namely Kaminder Rai is stated to have taken a cash of Rs. 25,000/- from pocket of the informant and had also assaulted him, whereafter the petitioner herein had also fired upon the informant, however, the same did not hit him. The other accused persons are also stated to have assaulted the informant.

The learned counsel appearing for the petitioner has submitted that the the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent and the fact is that there is no gun shot injury on the person of the informant, hence the petitioner is fit to be granted the privilege of anticipatory bail.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case ,this Court finds that there is specific allegation of firing against the petitioner herein supported by the witnesses during the course of police investigation and moreover the petitioner is an accused in three more cases, hence this Court does not deem



it fit and proper to admit the petitioner to the privilege of
anticipatory bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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