

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87455 of 2019

Arising Out of PS. Case No.-244 Year-2019 Thana- GARKHA District- Saran

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ARUN RAI @ ARUN KUMAR Son of Gauri Shankar Rai Resident of
Village- Kuchauv, P.S.- Garkha, District- Saran (Chapra).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bashisth Narayan Mishra, Adv.
Mr.Sachida Nand Rai, Adv.
For the Opposite Party/s : Mr.Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 26-06-2020 Heard Mr. Bashisht Narayan Mishra, learned

counsel for the petitioner and Ms. Nirmala Kumari, learned

APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Garkha P.S. Case No. 224 of 2019

dated 29.04.2019 instituted for the offences under Sections

302 and 201/34 of the Indian Penal Code.

It appears from the First Information Report that

the deceased was identified by his father with his clothes. It

was the suspicion of the informant that somebody had called

the deceased on the pretext of marriage negotiation and had



killed him. Later, during the course of investigation, on the basis of telephone records, one Pradeep Kumar was arrested, who has confessed the hand of the petitioner in the killing of the deceased.

Petitioner is the step-brother of the deceased and bore definite animus against the petitioner.

Considering the aforesaid materials collected during the course of investigation, I am not inclined to grant anticipatory bail to the petitioner.

However, if the petitioner surrenders before the court below and seeks bail, it shall be considered on its own merits including that the name of the petitioner has transpired in the confession of the co-accused person and shall pass the order in accordance with law without being prejudiced by the fact that the present petition on behalf of the petitioner has not been entertained.

(Ashutosh Kumar, J)

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