

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28578 of 2020

Arising Out of PS. Case No.-114 Year-2019 Thana- JEHANABAD RAIL P.S. District- Patna

VIJAY KUMAR @ VIJAY SINGH S/o Late Sadhu Sharan Singh Resident of
Village-Khaira, P.S.-Gaurichak, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 05-02-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Petitioner, in the present case, is seeking pre-arrest bail in connection with Rail P.S. Jehanabad (Taregana) Case No. 114/2019 registered for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of learned Railway Judicial Magistrate, Patna.

As per the prosecution story, the informant has alleged in his written report that he has land dispute for last 8-10 years with his step brothers and due to which his elder brother has been shot dead at Masaurhi Court Halt when he was going to attend the Court in a case, when this information was received by the informant, he reached at the place of occurrence where he found his brother dead.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case merely on suspicion.

Learned A.P.P. for the State has opposed the prayer for



anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it transpired that the petitioner and the deceased were step brothers, they had a contested land dispute and on the date of the alleged occurrence the deceased had gone to attend the court where he was shot dead, in the case diary the mother of the deceased has taken the name of this petitioner and has stated that the deceased had no enmity with anybody else, in the nature of the materials available on the record, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is, thus, refused.

In case, the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

