

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31339 of 2020

Arising Out of PS. Case No.-292 Year-2019 Thana- MAHARAJGANJ District- Siwan

Avinash Kumar Singh, Son of Late Gautam Singh, Resident of Village -
Puchhari, P.S.- Baniyapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is apprehending his arrest in connection with Maharajganj P.S. Case No.292 of 2019 registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act, which is pending in the court of Shri Manish Mishra, Judicial Magistrate 1st Class, Siwan.

While the informant's brother was at his shop, unknown criminals arrived there and shot at him. Informant got information from the local persons, whereafter the injured was taken to the hospital where he breath his last.

Counsel for the petitioner submits that there is some delay in lodging of the FIR. It is only in his restatement before



the police that the informant raised a suspicion against the petitioner. Petitioner is a man of clean antecedents.

The learned APP for the State submits that in view of the pre-existing motive, the informant in his restatement has taken the name of the petitioner. The allegation of causing death by firearm is corroborated in the post-mortem report. The senior police officials in the supervision have found the case true against the petitioner and his involvement in the killing.

Considering the rival submissions, this Court does not find it a case fit for grant of anticipatory bail. The same is rejected.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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