

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12801 of 2021**

Arising Out of PS. Case No.-72 Year-2020 Thana- PASRAHA District- Khagaria

Indrapati Kumar @ Indrapati Mandal Son of Shri Jamun Mandal Resident of
Village - Teliya Bathan ward no. 08, Police Station - Pasraha, District -
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 24-01-2022 Due to the third wave of COVID-19 Pandemic, the matter
is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned Counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks after restoration of normalcy.

The petitioner is apprehending his arrest in connection
with Pasraha P.S. case No.72 of 2020, G.R. No.2253 of 2020
registered under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act, pending in the court of Shri Deepak
Kumar, learned Judicial Magistrate, 1st class, Khagaria.



Allegation is that the petitioner and co-accused Ravindra Das fired from the pistol on the head of informant's husband, namely, Shashikant Mandal, due to which he succumbed to the injuries.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to previous enmity.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is the assailant and he alongwith other co-accused have fired upon the deceased. The postmortem report also corroborates with the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

