

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.2778 of 2022

Arising Out of PS. Case No.-353 Year-2019 Thana- MINAPUR District- Muzaffarpur

Ratan Ray Son Of Late Jittu Rai R/O Village- Darhi Patti, Police Station-
Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

3 18-10-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 341, 326, 307, 302, 120(B) of the Indian

Penal Code and Section 27 of the Arms Act.

The prosecution case as per F.I.R is that co-

accused Manoj Prasad, Sarpanch of Koili Panchayat was

sent to jail regarding his involvement in illicit trade of

liquors and he had threatened to kill the uncle of the

informant namely Deep Narain Prasad as according to

Manoj Prasad, his uncle had informed the police and got

him arrested. It is further alleged that on 02.07.2019 at



about 1:30 P.M., his uncle along with Raja Sharma and Shatrughan Sahani was proceeded for Muzaffarpur by motorcycle and petitioner and others conspired with the accused Sunil Kumar and told him that Deep Narain Prasad, uncle of the informant has left his house just now and directed them to kill Deep Narain Prasad. Thereafter Sunil Kumar, Sushil Prasad and Shailendra Prasad @ Munna Prasad proceeded in search of Deep Narain Prasad. After a brief chase, Sunil Kumar fired indiscriminately causing injury on the head of Deep Narain Prasad, as a result of which he died at the spot. It is further stated that two others namely Raja Sharma and Shatrughan Sahani fell down and sustained grievous injuries for which they are undergoing treatment in the hospital.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case since the petitioner has lodged a case against the informant's side. There is general and omnibus



allegation against the petitioner. The specific accusation of causing fire to the deceased is against co-accused Sunil Kumar. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from the present one.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East, Muzaffarpur in connection with Minapur P.S. Case No. 353 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Shageer/-

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

