

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35675 of 2021

Arising Out of PS. Case No.-742 Year-2020 Thana- MADHAURAH District- Saran

1. Bhim Rai Son Of Jaleshwar Rai R/O Village- Tehati, P.S- Marhowrah, Dist- Saran
2. Gajendra Kumar Rai @ Rajendra Kumar @ Rajendra Kumar Rai (BHAKURA) Son Of Satendra Rai R/O Village- Tehati, P.S- Marhowrah, Dist- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case in nutshell is that on 18.08.2020 six persons came riding on three motorcycles, called the deceased and shot fire upon him, causing fire arm injuries and later on succumbed to the injuries.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case and they have committed no offence. He further submits that



petitioners have got no criminal antecedent.

Learned APP appearing for the State after perusing the case diary has opposed the prayer for anticipatory bail and submitted that there is specific allegation of firing against the petitioners, due to which, the deceased died and the prosecution witnesses have also supported the prosecution case and stated about the complicity of the petitioners in this case also and from perusal of the postmortem report, vide para 40 of the case diary, it appears that the cause of death is due to fire arm injuries.

In view of the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is rejected.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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