

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55755 of 2021**

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

Sushil Prasad @ Sushil Kumar Son of Ramprit Prasad Resident of Village -
Kharhar, P.S. Minapur, District - Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

5 22-09-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Minapur P.S. Case no. 353 of 2019 instituted for the offence punishable under Sections 341, 326, 307, 302, and 120(B) of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, petitioner was involved in murder of the uncle of the informant. He was driving the motorcycle and pillion rider namely, Sunil Kumar had opened fire on the deceased as a result of which he died due to gun shot injury.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. After investigation final report was submitted in this case that the petitioner has not committed the alleged offence and accordingly final report was submitted. Specific allegation of opening fire is against co-accused Sunil Kumar. It is further submitted that petitioner is cancer patient. Petition has two criminal antecedent.

Learned counsel for the informant and learned APP appearing for the State have opposed the prayer of bail and submitted that with common intention of murder, petitioner has moved his bike close to the informant's uncle and pillion rider Sunil Kumar had opened fire with close range.

Having heard learned counsel for the parties and taking into consideration that petitioner is involved in commission of murder, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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