

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61305 of 2021**

Arising Out of PS. Case No.-105 Year-2021 Thana- PARSA District- Saran

UPENDRA KUMAR @ UPENDRA RAI Son of Lakshman Rai R/o Village
Chetan Parsa, P.S. Parsa, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mrs. Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

6 22-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 302/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., this petitioner alongwith co-accused Satyendra Kumar shot the deceased (elder daughter of informant) at her both thigh and face, as a result of which, she died.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. As a matter of fact, on the alleged date and time of occurrence, petitioner was at Muzaffarpur railway station and had also operated S.B.I. ATM situated at railway station and in support of the same, he has also annexed ATM transaction slip at Annexure 3.



However, learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail and submitted that petitioner is named in the F.I.R. and there is specific and direct allegation against this petitioner that he alongwith co-accused Satyendra Rai committed the murder of deceased by causing fire-arm injury. It is further submitted that anticiaptory bail petition of co-accused Satendra Rai has already been rejected by this Court, vide order dated 11.08.2022 passed in Cr.Misc. No. 11363 of 2022 coupled with the fact that petitioner has also got two criminal antecedent.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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