

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51401 of 2022**

Arising Out of PS. Case No.-231 Year-2020 Thana- PIPRAKOTHI District- East Champaran

HIRALAL SAH S/o- Baidhnath Sah @ Vaidnath Sah R/o Village - Mahuawa  
Dhekahan (Dharmuhan), P.S.- Pipra Kothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rakesh Kumar No.1  
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      13-12-2022                      Heard both sides.

The petitioner apprehends his arrest in connection with Pipra Kothi P.S. Case No.231 of 2020, registered for the offences punishable under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the petitioner and other co-accused persons are said to have fired from their pistols which hit the son of the informant and he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that no specific overt act is alleged against the petitioner. The allegations are general and omnibus. It is also



submitted that the specific allegation of firing is against co-accused, Rahul Sahni and Dharmendra Sahni.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner by submitting that the informant is the eye witness of the occurrence.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

**(Anjani Kumar Sharan, J)**

Sanjay/-

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