

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51127 of 2022

Arising Out of PS. Case No.-67 Year-2020 Thana- KATIHAR MUFFASIL District- Katihar

AJIT KUMAR RAI @ PITO RAI Son of Vaidyanath Ray R/V- Rupouli, P.S-
Shahpur Patori, Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-12-2022 Heard both sides.

The petitioner apprehends his arrest in connection with Mufasil P.S. Case No.67 of 2020, registered for the offences punishable under Sections 302, 307, 326 and 34 of the Indian Penal Code as well as Section 27 of the Arms Act.

The petitioner alongwith other co-accused persons are said to have started indiscriminate firing due to which one person died and the informant sustained firearm injuries.

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 there is no evidence regarding the involvement of this petitioner in the alleged occurrence and during investigation



no cartridge has been recovered from the place of occurrence. It is submitted that name of the petitioner is surfaced in the case on the basis of confessional statement of co-accused and no incriminating article has been recovered from the possession of the petitioner. It is also submitted that due to previous enmity, the petitioner is made accused in the present case.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

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)

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