

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65785 of 2021**

Arising Out of PS. Case No.-201 Year-2019 Thana- GANGABRIDGE District- Vaishali

Amod Rai @ Amod Kumar Son of Pradeep Rai Resident of Village- Saifpur,
P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ramakant Sharma, Sr. Advocate.
	:	Mr. Lakshmi Kant Sharma, Advocate.
For the State	:	Mr. Jharkhandi Upadhyay, APP.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 07-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Ganga Bridge P.S. Case No. 201/2019, registered for the offences under Sections 302/34 of the Indian Penal Code.

The petitioner and others are said to have fired indiscriminately in which the deceased died.

The informant of this case is one Rita Devi. After about six months of the case, informant-Rita Devi has filed an application before the court below retracting from her case and she stated that the petitioner was not involved in the crime.

It has also been submitted by the learned counsel for



the petitioner that the brother of the petitioner was earlier killed by Sanjay Ray and others and the petitioner is a witness of that case and with malafide intention this case has been filed for the murder of brother of Sanjay Rai who has been killed by some unknown criminals.

Mr. Jharkhandi Upadhyay has submitted that the petitioner is one of the assailants of the deceased and this occurrence has taken place because of earlier killing of the brother of the petitioner and now if an application has been filed by the informant, this does not entitle the petitioner for grant of anticipatory bail.

In such a serious case, in which the petitioner is one of the assailants, he does not deserve anticipatory bail. Any retraction by the informant at this stage will be of no help to the petitioner. Accordingly, this bail application is dismissed.

If the petitioner surrenders in the court below within a period of four weeks from today and prays for regular bail, the same shall be considered without being prejudiced by the fact that his prayer for anticipatory bail has been dismissed by this court.

(Sandeep Kumar, J)

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