

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18101 of 2023

Arising Out of PS. Case No.-225 Year-2019 Thana- SAHPUR District- Patna

SIPAHI RAI Son of Late Haricharan Rai Resident of village - Patlapur
Bagicha, P.S.- Shahpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Shahpur P.S.
Case No. 225 of 2019 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 504, 325, 307 and 302
of the Indian Penal Code and Section 27 of the Arms Act,
pending in the Court of learned ACJM, 1st, Danapur.

As per the prosecution case, the petitioner is said to
have shot at the wife of the informant repeatedly, causing her
instantaneous death.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that



there is land dispute between the parties. He submits that co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 27.11.2019 passed in Cr. Misc No. 54192 of 2019. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is that main assailant, it is clear from the F.I.R. itself. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the fact that the petitioner is the main assailant, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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