

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20615 of 2023**

Arising Out of PS. Case No.-79 Year-2022 Thana- SALIMPUR District- Patna

RAVI KUMAR @ RAVIKANT KUMAR Son of Uday Singh @ Uday Yadav  
Resident of Mirdaha Chak, P.S.-Salimpur, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Anand  
For the Opposite Party/s : Mr.Amit Kumar Rakesh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      24-06-2023                      Heard the parties.

The petitioner apprehends his arrest in connection with Salempur PS Case No. 79 / 2022 dated : 16 / 05 / 2022 registered under Section 302 / 120 (B) of the IPC & Section 27 of the Arms Act.

Prosecution case in brief is that the informant got information on 14.05.2022 that her husband, who was posted as a Security Guard at Shah Company has been shot at and killed on duty.

Learned counsel for the petitioner submits that petitioner is not named in the FIR. He further submits that there is an inordinate delay of two days in lodging of the FIR inasmuch as the occurrence took place on 14-05-2022 whereas, the FIR was lodged on 16-05-2022. He next submits that



specific allegation of firing is against the co-accused / Nitish Kumar. He further submits that no specific allegation has been levelled against the petitioner save and except that he was found present near the place of occurrence.

Regard being had to the submission made by learned counsel for the parties, taking into consideration the fact that it has come in the order of the learned Additional District & Sessions Judge 1<sup>st</sup> Barh that in paragraph nos.- 10, 11 & 12 of the Case Diary witnesses have categorically stated that the petitioner and the co-accused / Nitish Kumar fired upon the deceased, in paragraph- 26 of the Case Diary also the name of petitioner has surfaced as one of the assailants as well as the fact that the informant has supported the allegation in her re-statement recorded in paragraph-9 of the Case Diary, as such, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is dismissed.

**(Anil Kumar Sinha, J)**

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