

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42010 of 2022

Arising Out of PS. Case No.-253 Year-2009 Thana- BUDDHACOLONY District- Patna

BC @ BC RAY Son of Aitwar Ray Resident of Western Tola, Sabalpur, P.S.-
Sonepur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Yadav,Advocate

For the Opposite Party/s : Mr.Gulnar Begum,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Budha Colony P.S. Case No. 253 of 2009 for the offence registered under Sections 302, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant who is son of deceased made statement before Budha Colony Police Station in 2009 that when he was walking with his friend Satyendra Kumar around Ganga River and his father was cultivating land, one Sana Ray called him. He was accompanied by 7 to 8 persons with pistol in hand and they started indiscriminate firing causing his death.

Learned counsel for the petitioner submits that he has



been falsely implicated in this case. He further submits that in a case of 2009, he came to know about his implication only in the year 2020 necessitating this petition.

Be that as it may, it is a case under Section 302 of the Indian Penal Code lodged in 2009 and in that backdrop alone, this Court is not inclined to grant him relief and as such, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the concerned Court within four weeks from today and submit document along with the bail petition, the same shall be taken into account and the Court shall pass an appropriate order without being prejudiced by any observation made by this Court.

(Rajiv Roy, J)

Jagdish/Neha/-

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