

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55541 of 2023

Arising Out of PS. Case No.-752 Year-2022 Thana- KANKARBAG District- Patna

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DEEPAK KUMAR S/O BRAJ BHUSHAN RAY @ BHUSHAN RAI R/O
VILLAGE- RANIPUR, PS. MEHANDIGANJ, DIST. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in case registered for the offences punishable under Section 396 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on the alleged date and time of the occurrence, two miscreants riding on motorcycle, are alleged to have shot in the head of the brother of the informant resulting in his death. It is further alleged that the accused persons looted cash and other articles.

4. It is submitted that petitioner is not named in the F.I.R. and his name transpired during course of investigation on the confessional statement of co-accused person. No looted article has been recovered from the conscious possession of the petitioner.



5. Learned A.P.P. for the State opposes the bail application and submits that name of the petitioner surfaced on the basis of confessional statement of co-accused and during investigation it has come that this petitioner has borrowed the bullet motorcycle which was used in the alleged crime from its owner on 17.08.2022 at about 9:00 PM and thereafter, the alleged crime was committed on 18.08.2022. He further submits that petitioner has also got three criminal antecedents of similar nature.

6. Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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