

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63290 of 2022

Arising Out of PS. Case No.-288 Year-2021 Thana- KOILWAR District- Bhojpur

ANIL RAI Son of Rampujan Rai R/V- Simariya Mahadeochak, P.S- Koilwar,
Dist- Bhojpur Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Adv Mr. Surendra Kishore Thakur, Adv
For the Opposite Party/s :		Mr. Ashok Kumar Singh, APP Mr. Manoj Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-03-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Koilwar P.S. Case No.288 of 2021 registered for the offence punishable under Sections 147, 148, 149, 302 of the Indian Penal Code read with section 27 of the Arms Act.

Prosecution case in short is that due to digging of sand, an altercation took place between the parties and in consequence thereof, the petitioner fired upon the uncle of the informant which hit at his stomach and hence, the uncle of the informant succumbed to the injuries.

It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence,



in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that nothing was recovered from the spot nor any empty cartridge has been recovered. Petitioner has six criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that process u/s 82 and 83 of Cr.PC has been issued against the petitioner, therefore anticipatory bail is not maintainable.

Having regard to the facts and circumstances of the case, I am not inclined to entertain the bail application of the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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