

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73862 of 2022

Arising Out of PS. Case No.-647 Year-2021 Thana- SARAIYA District- Muzaffarpur

RAUSHAN KUMAR Son of Haridwar Singh R/v- Batrauliya Bakhra, P.S.-
Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mani Bhushan Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Saraiya P.S. Case No.647 of 2021, registered for the offence
punishable u/s 302/34 of IPC and 25(1-B)a, 26, 35 Arms Act.

Allegation against the petitioner is that he along with
other accused persons killed the son of the informant by gun
shot injury.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence.
Petitioner is not named in the F.I.R. and has been falsely
implicated in this case. His name transpired in this case on the
basis of confessional statement of co-accused namely Laddu
Singh @ Laddu Kumar @ Samir Kumar. The co-accused



categorically stated that, it was the present petitioner who pointed pistol on the son of the informant and fired, resulting which, he died. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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