

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5199 of 2024

Arising Out of PS. Case No.-66 Year-2022 Thana- JANTA BAZAR District- Saran

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1. Kameshwar Rai S/O- Late Jagarnath Rai R/O- Village- Dandaspur, P.S.- Janta Bazar, Dist.- Chapra, Saran
 2. Vinay Rai @ Vinay Kumar Tiwari S/O- Kameshwar Rai R/O- Village- Dandaspur, P.S.- Janta Bazar, Dist.- Chapra, Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2024 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. As per F.I.R. itself, there is specific allegation against petitioner no. 1 (Kameshwar Rai) that he shot dead the brother of the informant, whereas, petitioner no. 2 (Vinay Rai) is alleged to be conspirator.

4. It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case. Informant is not eye-witness to the occurrence, but only on suspicion, petitioners were named in the F.I.R. Petitioners claim clean antecedent.



5. Considering the specific allegation against petitioner no. 1 (Kameshwar Rai), his prayer for anticipatory bail is rejected.

6. So far as prayer for anticipatory bail of petitioner no.2 (Vinay Rai) is concerned, he is only alleged to be conspirator and as such, in the event of his arrest/surrender within a period of six weeks from today, he is directed to be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Saran at Chapra in connection with Janta Bazar P.S. Case No. 66 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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