

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24218 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- BODHGAYA District- Gaya

Abhimanyu Kumar Son Of Kamlesh Prasad Singh Resident Of Village -
Khojagachhi, P.S. - Barbigaha, District - Sheikhpura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Bodh Gaya P.S.
Case No. 428 of 2023, registered under Sections 302, 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, one trainee
constable namey Rahul Kumar has shot another trainee
constable Sonu Kumar from the SLR of the petitioner who was
on duty. The petitioner immediately fled away from the place of
occurrence and his SLR was found on bed.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner has not



shot the deceased with his SLR. The co-accused person snatched his SLR and shot the deceased. Out of panic the petitioner fled away from the place of occurrence. The petitioner has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that official SLR of the petitioner was used by co-accused Rahul Kumar in his presence and thereafter the petitioner fled away from the place of occurrence. Hence, serious allegation is against the petitioner and he does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances and the seriousness of allegation, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below within a period of four weeks and pray for regular bail. If such an application is filed, the same shall be disposed by the Court below without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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