

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66909 of 2024

Arising Out of PS. Case No.-197 Year-2024 Thana- SAHPUR District- Patna

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1. Sundar Ray Son of Devanandan Ray Resident of Village -Madhopur, PS -Shahpur, District- Patna
 2. Santosh Ray @ Santosh Kumar Ray Son of Sakaldev Ray Resident of Madhopur, P.O.- Madhopur, PS -Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-10-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Shahpur Police Station Case No. 197 of 2024, disclosing offences under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act

3. As per the First Information Report, on 11.06.2024 at about 5:30 pm, when the brother of the informant namely Jhulan Ray was milking cow in front of the house of his neighbor Harinandan Ray, then four persons including the petitioners arrived there on the motorcycle and one of them Nitish Kumar came down from the motorcycle and fired upon



the brother of the informant. The brother of the informant tried to flee away but he sustained two bullet injuries and then he fell down and died.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to previous enmity between the parties. The petitioners are co-villager of the informant and there is no allegation of firing upon them and they were, at best, the member of the unlawful assembly.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the severity of punishment and the fact that the petitioner no. 1 is having criminal antecedent of similar nature of offence, I am not inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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