

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78318 of 2023

Arising Out of PS. Case No.-350 Year-2022 Thana- BIBHUTIPUR District- Samastipur

CHANDAN KUMAR SON OF ROHITA RAI RESIDENT OF VILLAGE-
PATPARA, PS- BIBHUTIPUR, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Pramod Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, while the informant along with her husband was going by motorcycle to Jhamatiya for Ganga Bath, on the way, two unknown persons, riding on motorcycle, intercepted them and opened fired upon the husband of the informant, as a result of which husband of the informant died.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner is not named in the F.I.R.. Name of the petitioner has transpired in this case during course of investigation, only on the basis of confessional statement of co-accused Sobhit Rai, who disclosed that this



petitioner was the driver of the motorcycle in question. It is next submitted that except confessional statement of co-accused Sobhit Rai, there is no other material on record to connect the petitioner with the alleged incident. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that co-accused Sobhit Rai has disclosed about this petitioner as being the driver of the motorcycle in question, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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