

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7709 of 2025

Arising Out of PS. Case No.-171 Year-2024 Thana- CHANDRADIP District- Jamui

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MUKESH KUMAR S/O LATE JANARDAN YADAV @ RANA RANJEET
KUMAR R/O VILLAGE- SANPO, PS- CHANDRADEEP, DISTT- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Y.C. Verma, Sr. Advocate Mr. Prakash Mahto, Advocate
For the State	:	Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-04-2025 Heard learned senior counsel appearing on behalf of
the petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 103 and 3(5) of the B.N.S. and Sections 25(1-a)a and 27 of the Arms Act.

3. As per prosecution case, informant, namely Tinki Devi, alleged that on 13.09.2024, while her husband was returning from Aliganj Bazar, in the meantime, all the F.I.R. named accused persons, including this petitioner, intercepted his motorcycle and shot him dead. It is specifically alleged that this petitioner fired upon the deceased first from his pistol and thereafter, all other accused persons also fired upon the deceased



and due to the fire arm injuries sustained by the deceased, he immediately died on the spot.

4. It is submitted by learned senior counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that the same is an after thought and has been lodged after *post mortem* of the deceased. Informant is not an eye witness of the occurrence and only on suspicion, this petitioner has falsely been implicated in this case. Petitioner is a student.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that on the alleged date and time of occurrence, while the deceased was returning on his motorcycle, in the meantime, this petitioner, along with other accused persons, stopped him and opened fire as a result of which the deceased died at the spot. During investigation, one Shashi Kumar was arrested who, in his confessional statement, has admitted his own guilt and named this petitioner as the person who planned the entire incident. Petitioner has got one criminal antecedent of arms act.

6. Considering the specific and direct nature of



accusation, materials that has come during course of investigation and criminal antecedent of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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