

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89161 of 2024

Arising Out of PS. Case No.-93 Year-2023 Thana- MAHINDWARA District- Sitamarhi

Ram Nath Rai @ Ramnath Rai Son of Late Kapil Rai @ Kapil Dev Rai
Resident of Village - Neori, Police Station - Mahindwara, District - Sitamarhi
843117.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act and later on, Section 302 of the I.P.C. was added.

3. The prosecution case, as per fardbeyan of informant (since deceased), is that on 22.05.2023 at 12.00 hrs. (night), while he was enjoying orchestra programme, in the meantime, co-accused Raj Kumar fired from his country-made pistol on left chest of informant. Thereafter, informant was shifted to Medanta Emergency Hospital, where his treatment was going on, and subsequently, he (informant) succumbed to injury.



4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Specific allegation for firing is against co-accused Raj Kumar. Petitioner has not participated in the alleged crime. In fact, petitioner brought the informant (deceased) at the hospital on his Scorpio. Petitioner was organizer of the orchestra programme on the eve of reception party of his son, and except that, there is no other material against this petitioner. Petitioner claims clean antecedent.

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

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner 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 Judicial Magistrate 1st Class, Sitamarhi in connection with Mahindwara P.S. Case No. 93 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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