

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11190 of 2015

Arising Out of PS.Case No. -179 Year- 2013 Thana -RAMGARH District- BHABHUA (KAIMUR)

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1. Arshad Khan Son of Ali Ahamad Khan Resident of Village- kurra, P.s.-
Dildarnagar, District- Gazipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 30-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,324,307 and 429 of the Indian Penal Code, section 27 of Arms Act and section 51(1) of Indian Wildlife Protection Act.

It is alleged that on hearing two gun shot fire, the informant saw that a Neel Gai (*Boselaphus tragocamelus*) came out from the nearby field when the third fire hit on the back of the informant, in the meantime co accused Ravan Khan along with others came and pointed the gun to the chest of informant. It is further alleged that the accused cut the neck of Neelgai (*Boselaphus tragocamelus*), skinned and took out bullet from the back of the informant by force.

It is submitted by the learned counsel for the petitioner that the accusation is not specific against the petitioner. Statement has been made in paragraph 11 of the petition that there is no injury report of the informant on record. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that during investigation the accusation was found false and final form was submitted but differing with the final form cognizance was taken by the learned C.J.M. vide order dated 27.10.2014.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur at Bhabua in connection with Ramgarh (Nuaon) P.S. Case No. 179 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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