

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23572 of 2015

Arising Out of PS.Case No. -30 Year- 2014 Thana -GARHPURA District- BEGUSARAI

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1. Shambhu Paswan son of Ram Udgar Paswan Resident of village-
Vikrampur, P.S. Cheriabariarpur District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha

For the Opposite Party/s : Mr. M.K. Khare(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Petitioner is apprehending his arrest in
Garhpura P.S. Case No. 30 of 2014 registered under section 394
of the Indian Penal Code.

The informant alleged that he is working as a
manager at Shivajee Petrol Pump Garhpura and he was on cash
counter and his staff Ram Sharan Yadav was at the petrol pump.
At about 9.30 P.M. three persons riding on a Honda Motorcycle
of read colour came and pointed pistol on Ram Sharan Yadav and
brought him on the counter and asked to open the counter. He
was at the counter and was not giving key. In the meantime, one
accused fired at him which hit on his chest, then he handed over



the key. Thereafter all the three accused entered into the counter, took away cash of Rs. 1,40,000/-, on Intec mobile SIM No. 8051913342, one BSNL mobile SIM No. 8986460120 and also took mobile of Ram Sharan Yadav of Voda company, SIM No. 9801563537. Thereafter all the three accused persons fled away on motorcycle towards Manjaul. He thereafter became senseless. All the three persons were line and thin and aged about 20-30 years. At the time of occurrence, there were four staff, three out of four were into the room and one was out. After the occurrence he was taken to Alexia Hospital by the owner of the petrol pump, where he is being treated.

On behalf of the petitioner it is submitted that the petitioner is not named in the first information report. It is further submitted that no incriminating article has been recovered from the possession of the petitioner. It is further submitted that petitioner has been implicated in this case due to political rivalry as he is Sarpanch of the village.

On behalf of the State it is submitted that petitioner's name has come during the course of investigation.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. However, if the petitioner

surrenders in the court below within a period of four weeks, the court below shall pass an order on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

M.Rahman/-

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