

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27903 of 2015

Arising Out of PS.Case No. -76 Year- 2015 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

Arbind Ojha Son of Rameshwar Ojha, resident of village-Yadochhapar,
Police Station - Chanpatia, District - West Champaran at Bettiah

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Adv.

For the Opposite Party/s : Smt. Anita Kumari (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-07-2015 The petitioner is apprehending his arrest in connection with Chanpatia P.S. Case No. 76 of 2015 for the offence instituted under section 307 of the Indian Penal Code and section 27 of the Arms Act.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that the informant on 19.4.2015 at about 5.30 P.M. heard sound of firing towards P.H.C. Chanpatia and due to which people started fleeing away in the market. He also saw petitioner having armed with double barrel gun and other F.I.R. named accused fleeing away from the P.O., the informant went to the P.O. and came to know that there was *Panchayatee* and in course thereof firing was made by the

petitioner from his gun but fortunately no one sustained any injury. It has also been alleged in the F.I.R. that the petitioner is a retired military man, who used his licensee gun illegally during *Panchayatee*.

It has been submitted on behalf of the petitioner that no offence under section 307 I.P.C. is made out, as there is no injury caused to anyone. It is further submitted that the petitioner has got no criminal antecedent.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Chanpatia P.S. Case No. 76 of 2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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