

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43680 of 2015

Arising Out of PS.Case No. -178 Year- 2015 Thana -SAHARSA District- SAHARSA

=====

1. Govind Singh @ Abhinav Anand son of Late Ratendra Bahadur Singh, resident of Mohalla- Vidyapatinagar, P.S. + District- Saharsa	
2. Vishal Kumar @ Vishal Kumar Sinha @ Mishu, son of Late Suresh Prasad, resident of Mohalla- Kaysth Tola, P.S. + District- Saharsa	
3. Chunnu Kumar @ Manoj Kumar @ Chamnu Kumar, son of Ashok Prasad Gupta, resident o Mohalla- Hatiya-Gachhi, P.S. + District- Saharsa	 Petitioners
Versus	
The State of Bihar	 Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Smt. Anita Kumari(App)

=====

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 14-10-2015 Petitioners apprehend their arrest in Saharsa Sadar

Police station Case No. 178 of 2015 under section 307 and other

allied sections of the Indian Penal Code and section 27 of the

Act.

The informant alleged that the petitioners along with 8

to 10 unknown miscreants, variously armed with weapons,

came to his door and abusively enquired for one Golu Yadav. In

the meantime, one Karan Kumar opened fire which passed by

the temple of the informant. The other accused persons

including the petitioners also opened indiscriminate firing and

fled away.

The petitioners submit that it was accused Karan

Kumar who fired at the informant. Furthermore, the allegation

against them is general and vague that they opened fire which admittedly did not hit anyone. Petitioners also submit that it is too much to believe that the informant would escape injury, if a number of miscreants are opening fire.

I find that petitioners no. 1 and 3 are also accused in one another case under section 384 of the Indian Penal Code. Petitioners are named in FIR.

In view of the facts of the case, if the petitioners as mentioned above, surrender and pray for regular bail, the same would be disposed of preferably on the same day by the Chief Judicial Magistrate, Saharsa, also taking into consideration that the informant even did not receive any injury, though there is allegation of indiscriminate firing by the accused persons.

Shashi.

(Samarendra Pratap Singh, J)

U		T	
---	--	---	--