

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.405 of 2015

Arising Out of PS.Case No. -315 Year- 2013 Thana -SIWAN CITY District- SIWAN

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Saheb Ansari @ Saheb Hussain Son of Late Md.Younish Resident of
Islamiya Nagar, Laxmipur, P.S-Siwan Town, District-Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-01-2015 Heard both sides.

The petitioner Saheb Ansari @ Saheb Hussain apprehends his arrest in Siwan Town P.S. Case No. 315 of 2013, registered for the offences punishable under Section 307 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that when the informant came out after putting off generator, the petitioner is alleged to have fired which hit on the shoulder of the informant.

Learned counsel for the petitioner submits that night was dark and the informant himself is a notorious criminal. He has got many criminal cases. Even during course of investigation, the witnesses have doubted the veracity of the prosecution case. From perusal of the injury report, it would appear that four firearm

injuries were found but it is not a case of the informant that he got four firearm injuries.

Learned APP has opposed the prayer for bail.

There is a very specific allegation against the petitioner that he fired which hit on the shoulder of the informant and the informant got the firearm injuries upon his shoulder.

Considering the facts, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below and the court below shall consider the regular bail of the petitioner without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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