

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41351 of 2014

Arising Out of PS.Case No. -42 Year- 2014 Thana -DESARI District- VAISHALI(HAJIPUR)

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Upendra Singh Son of Late Pradeep Singh Resident of Village -
Khorampur, P.S. Desari (Chandpura O.P.), District Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur

For the Opposite Party : Ms. Sucheta Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 22-05-2015 Heard both sides.

The petitioner is accused of Desari P.S. case no. 42 of 2014 instituted under diverse Sections of the Indian Penal Code including Sections 326,307,504 and 448/34 of the IPC and Section 27 of the Arms Act. Apprehending his arrest in connection therewith he has filed the present application.

It is alleged that on the relevant night the petitioner along with others armed with weapons entered into the house and fired at the son of the informant causing pellet injury near his chest and other part of the body.

Contention of the petitioner is that both the parties are locked in land dispute. There is counter version of the case vide Desari P.S. case no. 43 of 2014 lodged by wife of one of the

co-accuseds of the present case wherein injuries have been sustained by some of the persons of the prosecution side. It is submitted that petitioner has no criminal antecedent. It is further submitted that in the counter case accused persons have been released on regular bail.

Allegation, as seen above, is that the petitioner fired from his licensee gun at the son of the informant which hit him near the chest and some other part of the body.

Considering the allegation which have been attributed to the petitioner, I am not inclined to privilege him with anticipatory bail. Prayer is rejected.

In case the petitioner surrenders and prays for regular bail before the learned Court below, the same shall be considered and disposed of on its own merit uninfluenced in any manner by the present order.

(Kishore Kumar Mandal, J)

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