

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38800 of 2015

Arising Out of PS.Case No. -176 Year- 2011 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Rambabu Prasad son of Bhola Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 05-10-2015

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 307, 387, 504, 109 of the Indian Penal Code and 27 of
the Arms Act.

The prosecution case is that six FIR named accused
persons along with two unknown came variously armed with
country made pistol when on the order of Madan Sah co-
accused Raj Kumar fired, causing injury to the informant.

It is submitted by learned counsel for the petitioner
that specific accusation of causing fire arm injury to the
informant is against co-accused Raj Kumar. It is further
submitted that petitioner was not sent up for trial but differing
with the Final Form cognizance has been taken. Statement has

been made in paragraph 3 of the petition that petitioner has no criminal antecedent. Though supplementary affidavit has been filed stating therein that petitioner is accused in two more cases such as Ghorasahan P.S. Case No.33 of 1991 registered under sections 147, 149, 307, 452, 380 and Chhauradano P.S. Case No.30 of 1994 registered under sections 143, 144, 188, 337, 323, 353 of the Indian Penal Code in both the cases he is on bail.

Considering the facts that accusation of assault is not against the petitioner and co-accused have been granted anticipatory bail vide Criminal Miscellaneous No.30267 of 2015 and Criminal Miscellaneous No.22306 of 2015, it is a case for consideration of prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Ghorasahan P.S. Case No.176 of 2011, pending before the learned SDJM, Sikrahana, East Champaran at Motihari.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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