

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25447 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

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Chandan Kumar Pahtak @ Chandan Pathak, Son of Sri Ramashankar Pathak, Resident of Village- Kuea, P.S.- Barahara, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Awadhesh Kumar Mishra, Advocate.

For the Opposite Party : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-10-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 307 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that two motorcyclists came and the pillion rider opened fire causing injury on his left hand. Both the accused persons were in the age group of 25-26 years old. The informant further alleged that Shashi Pathak and Chandan Pathak, the petitioner had earlier threatened him to kill. The informant did not name the petitioner as the person who fired at him. The petitioner is well acquainted with the informant from before.

It is submitted that similarly situated co-accused Shashi Pathak has already been granted regular bail by the court below.

Learned counsel for the informant as well as the learned APP vehemently opposed the prayer for anticipatory bail.

It appears that the petitioner is well acquainted with the informant, but the informant did not name the petitioner as the person who fired at the informant rather the informant has very specifically stated that he could not identify the person who fired.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail 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, Ara in Ara Town P.S. Case No. 13 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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