

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26709 of 2015

Arising Out of PS.Case No. -268 Year- 2015 Thana -KHAZANIHAT District- PURNIA

- =====
1. Zain Raja Son of Ahmad Raja @ Ahmad Hussain
 2. Samar Raja Son of Nihal Raja
 3. Fahad Raja @ Fahad Ali Son of Ahmad Raja @ Ahmad Hussain All
resident of village - Rajebadi, P.S. K. Hat Sahayak, District - Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. T.P.Mandal(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 323, 307 and 504 of the Indian Penal Code and 27 Arms Act.

Allegation against the petitioners is that while informant along with others were playing cricket, they came and fired shots a number of times but that did not hit him.

It has been submitted on behalf of the petitioners that they have got no criminal antecedents. Though there is firing in course of occurrence but admittedly there is no injury caused to any person. Hence, no offence under Section 307 of the Indian Penal Code is made out against the petitioners.

On behalf of the State and counsel for the informant, it is submitted that prior to institution of the present case there was one more case which was instituted by the informant upon the petitioners though that matter ended up with a compromise. It has

further been submitted that para-39 of the case diary shows that petitioners are trying to tamper with the evidence.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners, the same is rejected.

Any how if petitioners surrender in the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order preferably on the same day.

(Sudhir Singh, J)

sudip/-

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