

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4063 of 2016

Arising Out of PS.Case No. -160 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

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Sudama Singh S/O Indradeo Singh, R/o Village- Karma Kala, P.S.-
Daudnagar, District- Aurangabad (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 147, 148, 149 and other allied Sections of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case is that due to land dispute petitioner fired from his pistol which hit stomach of the informant.

It is submitted on behalf of the petitioner that he has falsely been implicated in the present case. It is a case and counter case between the parties. A case has been instituted on behalf of the petitioner for the offence under Section 302 of the Indian Penal Code. Death caused from the side of the petitioner has not been explained by the prosecution which creates a doubt upon the prosecution itself.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. There is specific allegation of firing upon the victim.

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

Any how, if petitioner surrenders in the court below, i.e., learned S.D.J.M., Daudnagar, Aurangabad (Bihar), in connection with Daudnagar P. S. Case no. 160 of 2015 within a period of six weeks from the date of receipt of a copy of this order and prays for regular bail, same shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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