

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9952 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Rajnish Kumar Son of Jang Bahadur Singh @ Jang Bahadur Paswan
resident of Mohalla - Narsaliganj, P.S. Bihar, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in Bihar P.S.
Case No.87 of 2015 instituted for the offences under Sections
147, 149, 324, 341, 379 of the Indian Penal Code and Section
27 of the Arms Act.

Allegation has been made that accused persons were
putting Bamboo in the land. When informant and others have
objected specific allegation has been made against the
petitioner to have taken out the country made pistol and fired
upon the informant.

Learned counsel for the petitioner submits that it is his
land and they illegally wanted to take possession over the

land. There is a case and counter case from both sides. He further submits that while the informant was in Hospital an FIR was lodged after a long delay so there is every chance of manipulation.

There is specific allegation against the petitioner to have taken out the country made pistol and fired upon the informant causing injury to him. .

In such view of the matter, this Court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioner surrenders before the court below within a period of three weeks, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court. .

(Shivaji Pandey, J)

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