

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28941 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -KARAKAT District- SASARAM (ROHTAS)

1. Birendra Pandey Son of Late Shiv Pujan Pandey, resident of village-Natha Bigha, Police Station- Karakat, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-09-2016 Heard both sides.

The petitioner apprehends his arrest in Karakat P.S. case No.24 of 2016 under Section 307 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that petitioner and others entered into her house in order to commit theft. While, the petitioner was fleeing away the informant and her sisters tried to catch the petitioner but the petitioner fired which caused injury on the right elbow of the informant.

The learned counsel for the petitioner submits that petitioner is uncle of the informant. There is no reason that the uncle went to the house of niece for committing theft. The injury is superficial in nature but it appears that the informant made very

specific allegation that while the petitioner was fleeing away after committing theft, the informant tried to catch the petitioner but the petitioner fired causing fire arm injury to her.

Hence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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