

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43412 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -ALAMGANJ District- PATNA

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1. Shashi Kant @ Sashi Kant Verma, son of Shri Shiv Nath Prasad,
Resident of Mohalla- Chhoti Pahari, P.S.- Agamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh
For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 29-11-2016 Heard Sri Deepak Kumar Singh, learned counsel for

the petitioner, Sri Krishna Prasad Singh, learned senior counsel for

the informant as well as learned Additional P.P.

The petitioner apprehends his arrest in Alamganj P.S.

Case No. 77/2016, registered for the offences punishable under

Sections 307/34 of the Indian Penal Code and 27 of the Arms Act.

The informant alleged that three persons came on a

motorcycle and two persons opened fire. One person made firing

which hit on his head and another hit on his back. The informant

further alleged that firing made by Abhishek Kumar Verma hit on

his head and the unknown persons fired which hit on the back. The

informant identified Abhishek Kumar Verma and the petitioner

Shashi Kant Verma.



Learned counsel for the petitioner submits that the petitioner happens to be brother of Abhishek Kumar Verma. The informant is well acquainted with the petitioner from before and there is no allegation of firing against the petitioner. Doctor found only one pellet which was extracted from the body of the informant. There is enmity from before and that is why the petitioner has falsely been implicated in the case.

Sri Krishna Prasad Singh, learned senior counsel for the informant as well as learned Additional P.P. opposed the prayer for anticipatory bail.

It appears that the petitioner and his brother and one unknown person came on a motorcycle. Abhishek Kumar Verma, the brother of the petitioner and unknown person under a conspiracy made firing causing injury to the informant. Of course, the petitioner is not alleged to have fired but the petitioner was accompanying them who opened fire on the informant causing firearm injury.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders before the court below within four weeks from the date of receipt/production of a copy of

this order and prays for regular bail, his prayer shall be considered taking into consideration that the petitioner is not alleged to have fired. The court below shall dispose of the bail petition of the petitioner preferably on the same day.

(Prabhat Kumar Jha, J.)

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