

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38730 of 2016

Arising Out of PS.Case No. -301 Year- 2004 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Gendu Paswan, Son of Ramdeo Paswan, Resident of Village - Bahadurpur,
P.S. Chandi, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 17-10-2016 Heard.

The petitioner apprehends his arrest in connection with Chandi P.S. Case No.301 of 2004 registered under Sections 394 and 302/34 of the Indian Penal Code besides Section 27 of the Arms Act, pending in the court of the Chief Judicial Magistrate, Nalanda at Biharsharif.

The accusation is that in course returning of the informant with his nephew Manish Kumar and brother Rajnish Kumar on a motorcycle from his shop, in the way, the four accused persons including the petitioner surrounded the motorcycle. At that time, the co-accused Mithilesh Paswan fired through pistol causing injury to Manish Kumar, who was driving the motorcycle, due to

which he fell down from the motorcycle. Thereafter, this petitioner snatched the money from the pocket of the informant and Manish Kumar and the co-accused Dayanand Paswan also snatched the wrist watch of the informant. Later on, Manish Kumar died due to sustaining injury.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. alongwith three other accused but the allegation of causing firearm injury is against the co-accused Mithilesh Paswan. The only allegation against the petitioner is of snatching the money from the pocket of the informant and the deceased Manish Kumar.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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