

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36456 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -SANGRAMPUR District- MUNGER

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Mithilesh Pandey

... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

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10-11-2016

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Sangrampur (Tetiabammer) P.S. Case No. 46 of 2016 registered under Sections-147, 148, 149, 323, 341, 337, 504, 307 of the Indian Penal Code and 27 of the Arms Act.

The petitioner is named in the first information report with allegation that he as well as FIR named accused assaulted the informant and others and in that course, the petitioner is said to have made firing.

Submission on behalf of petitioner is that none has sustained fire-arm injury and as a matter of fact, prior to institution of this case, the brother of the petitioner lodged Sangrampur (Tetiabammer) P.S. Case No. 44 of 2016 against the prosecution party of the present case for the occurrence of the same day and thereafter, police came up for investigation of the aforesaid case

and arrested the informant of the present case from whose possession, fire-arm was recovered and for that, police registered Sangrampur (Tetiabammer) P.S. Case No. 45 of 2016. It is submitted that the present case is nothing but has been filed in retaliation of the aforesaid cases. It is further submitted that moreover, the injured of the present case have sustained simple injury. Though a fracture injury appears to have been sustained but there is nothing on the record to show that the aforesaid injured sustained fire arm injury by the petitioner.

Considering the above-said facts and circumstances of the case as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sangrampur (Tetiabammer) P.S. Case No. 46 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Munger subject to condition as laid down u/S 438(2) of the Code of Criminal Procedure Code.

(Hemant Kumar Srivastava, J)

A.K.V./-

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