

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.958 of 2016

Arising Out of PS.Case No. -193 Year- 2015 Thana -BARGANIA District- SITAMARHI

=====

Ram Babu Singh, son of Late Parmeshwar Singh, resident of Marpa Tahir,
P.S. Bairstania, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 15-02-2016 Heard Sri Birendra Kumar, learned counsel for the

petitioner, Sri Tapeswar Sharma, learned Addl. Public Prosecutor
and Sri Dinesh Jha, learned counsel, who has voluntarily appeared
on behalf of the informant.

The petitioner, apprehending his arrest in connection
with Bairstania P.S. Case no.193 of 2015 registered for the offence
under Sections 147, 148, 149, 326, 307 of the Indian Penal Code
and Section 27 of the Arms Act, has prayed for grant of
anticipatory bail.

Learned counsel for the petitioner submits that though
it was alleged that the petitioner opened fire, but the doctor after
examining the injury has reserved the opinion and, as such, it is
not a case under Section 27 of the Arms Act and the allegation is

false.

In the F.I.R., there is specific allegation against the petitioner that he fired on the informant which hit the shoulder of the informant. In view of specific accusation, I do not find any ground to extend the privilege of anticipatory bail.

The petition stands dismissed. However, it goes without saying that if the petitioner surrenders before the Court below within eight weeks from today and makes a prayer for grant of regular bail, the court below without being prejudiced with this order may examine the same and decide it on merit preferably on the same day.

(Rakesh Kumar, J)

NKS/-

U			
---	--	--	--