

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12482 of 2016

Arising Out of PS.Case No. -156 Year- 2015 Thana -ARIYARI District- SEKHPURA

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Omkar Pandey @ Onkar Pandey son of Chotan Pandey.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Adv.

For the Opposite Party/s : Mr. Awdhesh Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307 and 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the informant was coming home and carrying sale proceed of paddy to the tune of ₹50,000/- when on the road one auto rickshaw was found parked impeding the flow traffic. The informant requested to remove the auto rickshaw which was protested by co-accused Dipak Pandey. It is further alleged that the petitioner along with other accused persons started assaulting the informant and snatched ₹50,000/- and gold chain of the informant. It is also alleged that Deepak Pandey and petitioner resorted to fire as a result the informant received bullet injury.

It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner. The informant received two lacerated injury caused by hard and blunt substance. Co-accused Dipak Pandey has been granted regular bail. There is counter version of the occurrence also. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation of receiving bullet injury not being corroborated by the medical opinion which clouds the bona fide of rest of the accusation, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sheikhpura in connection with Ariari P.S. Case No. 156 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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