

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10683 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -SIMRI District- BUXAR

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Anil Pandey Son of Late Nand Lal Pandey, Resident of Village - Simri
Khairapatti, P.S. - Simri, District - Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amrendra Narayan Rai, Advocate
For the Opposite Party : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner, learned counsel
for the Informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Simri P.S. Case No. 55 of 2015 pending in the Court of CJM,
Buxar for the offences instituted under Sections 147, 148, 149 and
302 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged against all the accused persons that they
having gun and pistol started assaulting the informant. On protest,
this petitioner instigated them to assault the informant for his
misbehaviour, on which accused Vijay Shankar Pandey shot at
Om Prakash Yadav causing injuries to him. Informant took the
injured to Hospital and during course of treatment, he died.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. No specific injury has been attributed against the petitioner. Petitioner is simply said to be an order giver. The main allegation is against Vijay Shanker Pandey.

On behalf of the State and the counsel for the Informant, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order taking into account the submissions made on his behalf.

(Sudhir Singh, J)

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