

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18438 of 2016**

Arising Out of PS.Case No. -577 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Bhupesh Singh Son of Gauri Shankar Singh R/o Village Marichaon, P.S. Bhabua, District Kaimur at Bhabua

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 29-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 448, 341, 323, 504, 506, 34 of the Indian Penal Code and under Sections 25(1-B) A, 26 and 35 of the Arms Act.

The prosecution case is that on 17.10.2015 the petitioner and co-accused Bittu Upadhyaya entered into hut of the informant and co-accused Bittu Upadhyaya pointed country made pistol on the informant and threatened to kill him. On alarm being raised by the wife of informant, sister of informant came and snatched the country made pistol from co-accused Bittu Upadhyaya thereafter the villagers came to the place of the occurrence and thereafter the accused persons escaped from the scene.

It is submitted by the learned counsel for the petitioner that accusation of putting country made pistol on the body of informant is not against the petitioner and in the background of land dispute the accusation has been levelled. Statement has been in paragraph 3 of the petition that the petitioner has no criminal antecedent and the informant retracted from his earlier version and filed a petition to that effect before the court below.

Considering the aforesaid facts, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur at Bhabhua in connection with Bhabhua P.S. Case No. 577 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

BKS/-

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