

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50711 of 2016

Arising Out of PS.Case No. -192 Year- 2016 Thana -GAYA GRP CASE District- GAYA

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Munnu Sharma @ Monu Sharma Son of Dudheshwar Sharma, Resident of
Ram Nagar Colony, Shastri Nagar, P.S. Rampur, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Gaya Rail
(GRP) P.S. case No.192 of 2016 registered under Sections 341,
323, 427, 324, 379 and 307 of the Indian Penal Code and Section
27 of the Arms Act, pending before the court of Railway Judicial
Magistrate, Gaya.

Allegation is that the accused persons including the
petitioner attacked with their respective arms causing injury to the
friend of the informant, namely, Dayanand Kumar @ Guddu, as a
result of which he sustained injury on his leg. The accused
persons also snatched bracelet from the hand of informant and
cash Rs.2500/- from his pocket. They also damaged the vehicle of
the informant.

It has been submitted on behalf of the petitioner that



there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Relating to the same occurrence three cases were instituted, one by the accused side, other by the police and third is the present case. The dispute related to the parking of the Bus at the stand. The allegation made in the F.I.R. is denied by the petitioner. The informant side is to be the aggressors. They had come on three vehicles which was seized by the police at the P.O. and had made indiscriminate firing upon the petitioner side.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and specific allegation has been made for causing fire arm injury on the leg of Dayanand Kumar @ Guddu, friend of the informant.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

Narendra/-

(Sudhir Singh, J)

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