

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51919 of 2017

Arising Out of PS.Case No. -183 Year- 2017 Thana -SIMRI District- BUXAR

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Mani Shankar Pathak @ Manoj Pathak, S/o Parshuram Pathak, R/o Vill -
Niyazipur (Mahesh Pathak Ke Dera), P.S. - Simri, Dist. - Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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

02/ 10-11-2017

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 147,
148, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code
and Section 27 of the Arms Act.

The prosecution case as per the fard-beyan
of the informant is that on 02.08.2017 at 12.30 P.M. the accused
persons including the petitioner came variously armed when
Mani Shankar Pathak @ Manoj Pathak, the petitioner fired from
his gun causing injury on the toe of the left leg of the informant
as a result he fell down. The accused persons also assaulted the
brother Jhabbu Pandey and uncle Rajendra Pandey of the



informant.

It is submitted by learned counsel for the petitioner that the injury report of the informant suggests only one injury, simple in nature on the lower part of left leg caused by hard and blunt substances and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. There is a counter version of the occurrence also.

Learned APP submits that there is accusation of causing firearm injury against the petitioner.

Considering the accusation not being corroborated with the medical opinion, 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Simri P.S. Case No. 183 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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