

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5943 of 2017

Arising Out of PS.Case No. -73 Year- 2016 Thana -SARE District- NALANDA (BIHARSHARIFF)

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Komal Paswan son of Ram Swaroop Paswan resident of Village- Jangipur,
P.S. Sare, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Sri Umanath Mishra

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 20-03-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Sare P.S. Case No. 073 of 2016 for the offences punishable under sections 147, 148, 149, 341, 323, 307 and 506 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner shot fire which hit on the face of Md. Afroz and others assaulted others.

Submission is of false implication and that there is case and counter case, the petitioner was also injured but that injury is not explained in the FIR, there was no intention to commit murder and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail



of the petitioner by submitting that the petitioner caused fire arm injury to Md. Afroz, the doctor has also found fire arm injury which is mentioned in paragraph-101 of the case diary.

In the facts and circumstances as stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M. II, Nalanda at Bihar Sharif.

(Jitendra Mohan Sharma, J)

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