

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16210 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

=====

Manish Kumar, son of Hareesh Rai, Resident of Village - Suvash Chowk,
Police Station - Town, P.S. District - Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bipin Bihari Singh, Advocate.

For the Opposite Party : Mr. Lakshmi Kant Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-04-2017 Heard both sides.

The petitioner apprehends his arrest in Hajipur Town
P.S. Case No. 61 of 2017, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code and
under Section 27 of the Arms Act.

The informant alleged that Vishal Kumar @ Vicky
Kumar came and fired on him, which hit on his chest and
shoulder. Manish Kumar, the petitioner had come on another
motorcycle and fired. First shot was made on the glass of the
vehicle of Avinash Singh and the second shot hit the driver
Lakshman Kumar @ Lachchu Kumar.

Learned counsel for the petitioner submits that the
occurrence took place on 26.01.2017 but, the informant made his
fardbeyan on 29.01.2017. The informant did not explain the delay



in lodging the case. The police also came on the spot but, did not record the statement of the informant and others. The informant has got criminal antecedent. The petitioner has got clean records but, from perusal of the FIR, itself, it appears that the informant became unconscious and he was referred to PMCH but he was admitted in Rajeshwar Nursing Home, Patna. There is specific allegation against the petitioner that he twice fired and one shot hit the driver Lakshman Kumar @ Lachchu Kumar on his right hand.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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