

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32640 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -GARAUL District- VAISHALI(HAJIPUR)

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Diwakar Kumar, s/o Ramji Singh, r/o vill-Hidayatpur Chakhaji, PS- Goraul
(Kathara OP) Dist- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-07-2017

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Goraul (Kathara OP) PS case no. 39 of 2017 registered for the offences punishable under Sections 379, 307, 435 and other sections of Indian Penal Code and Section 27 of Arms Act.

It has been alleged by the informant that the petitioner along with other accused persons being armed with deadly weapons, had come at the house of the informant and had assaulted the informant, they also fired causing injury to the informant. As far as petitioner is concerned, it has been alleged that he had fired on the female inmates of the house of the informant. However, the bullet is said to have scraped the thumb of the said female inmate.



Learned counsel for the petitioner submits that a bare perusal of impugned order would show that it does not appear that any firearm injury was received by any female inmate, hence allegation leveled against the petitioner is not correct, petitioner has clean antecedent who has been roped in this case on account of the informant being a co-accused in the case lodged by the father of the petitioner resulting in lodging of present case.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to direct deem it fit and appropriate to grant anticipatory bail to the petitioner.

Accordingly, let the abovenamed petitioner, in the event of his arrest or surrender in the Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul (Kathara OP) PS case no. 39 of 2017 subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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