

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6805 of 2017

Arising Out of PS.Case No. -198 Year- 2016 Thana -BARARI District- KATIHAR

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Sandesh Choudhary Son of Mohar Lal Choudhary, Resident of Tali
Bhattha, Barari, P.S.- Barari, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-03-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Barari P.S. Case No. 198 of 2016 for the offences instituted
under Sections 353, 307/34 of the Indian Penal Code and Sections
25(1-b)a/26/27/35 of the Arms Act.

It is alleged that when the informant reached near the
house of co-accused Mangan Choudhary, he saw that three
persons on seeing the police trying to flee away. On search, the
miscreants disclosed their names as Sandeep Kumar Choudhary
and Mangan Choudhary and one loaded country made pistol was
recovered from the possession of co-accused persons, and this
petitioner fled away from the place of occurrence by firing on



police party.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. None is said to have sustained injury in course of occurrence. Hence, no offence under Section 307 of the Indian Penal Code is made out.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Barari P.S. Case No. 198 of 2016, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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