

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.440 of 2017

Arising Out of PS.Case No. -78 Year- 2015 Thana -PARSABAZAR District- PATNA

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1. Rakesh Kumar, Son of Sri Lalan Kumar Singh, resident of Village Sridpuram (Shiv Nagar), Bariapur, Police Station Parsa, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tahkur
Mr. Babita Kumari
Mr. Nilesh Kumar
Mr. Amit Kumar.

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-01-2017 Petitioner is apprehending his arrest in connection with Parsa Bazar P.S. case No. 78 of 2015, registered for offences punishable under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioner that the whole prosecution story is out and out a false one. As the alleged occurrence is of 11.00 P.M. in the night and at the place of occurrence, there was no source of light and it is highly doubtful that how the informant identified that it is the petitioner, who made firing. It has further been submitted that the petitioner's name has been dragged in this case due to previous enmity.

Learned counsel for the State opposed the prayer for bail



by submitting that there is direct allegation against the petitioner of firing causing injury to the informant.

Having heard both sides, in view of the fact that there is direct allegation against the petitioner of firing causing severe injury to the informant, I am not inclined to grant the petitioner, the privilege of anticipatory bail. It is accordingly rejected.

However, if the petitioner surrenders before the Court below and pray for regular bail, his prayer for regular bail will be considered by learned Court below without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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