

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23289 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Ranvir Sahani, S/o Sri Rambharoshi Sahani, Resident of Village- Bhadash, P.S.-
Muffasil, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Chandra, Advocate
For the State : Ms. Gulnar Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 06-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Khagaria
(Muffasil) P.S. Case No. 04 of 2017 dated 03.01.2017 instituted
under Sections 147/148/149/341/324/307/353/120B of the Indian
Penal Code and 27 of the Arms Act.

3. The allegation against the petitioner and eight others
is of firing on the police party, which had gone to nab a criminal, who
is also a co-accused due to which there was injury on the leg of the
informant, who is the Sub Inspector-cum-SHO of Muffasil P.S. in the
district of Khagaria.

4. Learned counsel for the petitioner submitted that the
informant having taken the name of nine persons along with their



parentage does not seem possible and due to village politics and rivalry, he has been falsely implicated. It was submitted that the petitioner had not supported the elected Mukhiya and under a conspiracy he has also been made an accused. Learned counsel further submitted that the petitioner is neither connected with the co-accused, who is said to have been the person whom the police were looking for and thus, there was absolutely no reason for him to be present along with the other said co-accused. It was submitted that the petitioner has no criminal antecedent. It was further submitted that the injury found on the informant is simple in nature.

5. Learned A.P.P. submitted that the petitioner has been identified by the informant, who was also the SHO of the Police Station and there is no reason to disbelieve the fact that he has named the petitioner correctly along with his father's name. It was further submitted that there is injury on the person of the informant caused by firing from the accused side and it is immaterial as to who had fired as everybody was firing.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

8. However, in the event the petitioner surrenders and



prays for regular bail before the Court below within two weeks from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

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