

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12327 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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1. Mukesh Sharma, S/o Suman Sharma, R/o Basant Vihar, P.S.- K. Hat
(Maranga), District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioner as well as learned
counsel representing the State.

The petitioner apprehends his arrest in connection with K.
Hat (Maranga) P.S. Case No. 18/2017, registered for the offences
punishable under Sections 324, 307 and 34 of the Indian Penal Code
and Section 27 of the Arms Act.

Allegedly, the petitioner and other co-accused entered into
the house of the informant having armed with weapons. The
informant protested, then co-accused Kunal Singh shot fire on the
head of the informant, but that hit at the wall and when Ashutosh
Kumar, younger brother of the informant came for rescue then
Ankush Singh fired upon the brother of the informant, which hit on
his thigh and he fell down. Seeing the assemblance of the other



family members, Ankush Singh snatched pistol from Kunal Singh and fled away with his associates including the petitioner, but Kunal Singh was caught with two mobile sets, one live cartridge and motorcycle which was handed over to Maranga Police.

Submission is of false implication and that against the petitioner there is no any specific allegation for committing any overt act. The petitioner has not fired upon any one. The allegation of firing is made against Kunal Singh and further against Ankush Singh upon the brother of the informant and as such, the petitioner also deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, the petitioner, above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Maranga) P.S. Case No. 18/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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