

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40333 of 2017

Arising Out of PS.Case No. -71 Year- 2014 Thana -SHAKURABAD District- JEHANABAD

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1. Saurabh Kumar Son of Sri Krishna Nandan Sharma, R/o Village-Sarbahada, P.S.- Manikpur, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Smt Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-09-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with Sakurabad P.S.Case No. 71 of 2014 registered for offences punishable under Sections 341, 323, 307, 448/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is that on 06.97.2014 the accused persons came and surrounded the informant. The accused Rajesh Sharma @ Puki opened fire by his pistol, which hit on right palm. The rest accused persons also fired with their pistol as a result, the informant got injury on different parts of body and became unconscious and fell down. The informant was referred to P.M.C.H. for treatment seeing his serious condition.



It has been submitted by the learned counsel for the petitioner that no specific allegation has been attributed against the petitioner.

Learned Additional Public Prosecutor and learned counsel for the informant oppose the prayer of bail.

Considering the specific allegation against the petitioner of firing upon the informant, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender in the Court below within four weeks and make prayer for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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