

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45667 of 2016

Arising Out of PS.Case No. -244 Year- 2015 Thana -MADHEPURA District- MADHEPURA

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Awadhesh Kumar Yadav (Faugi) Son of Ramchandra Yadav Resident of
Villae- Laualagam, Police Station- Chausa, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 13-04-2017 Heard both sides.

The petitioner apprehends his arrest in Madhepura

P. S. Case No. 244 of 2015 registered for the offences under

Sections 307 and 34 of the Indian Penal Code and Section 27 of

the Arms Act.

The informant alleged that on 30.04.2015, when she

was returning to her house from Bank and reached near her house,

the petitioner made firing and it is further alleged that on

02.05.2015 at 08:30 P.M. in the night, the petitioner again came

and made firing, but the informant fled away from the back door

of the house.

Learned counsel for the petitioner submits that the

informant is *Fuferi* sister of the wife of the petitioner. Earlier wife



of the petitioner filed a case under Section 498A of the Indian Penal Code against the petitioner, in which the petitioner has been granted anticipatory bail. Petitioner is a armed force personnel. Wife of the petitioner wanted to put the petitioner behind the bar and that is why her Fuferi sister lodged this case. But from the perusal of the F.I.R., it appears that the informant is working as Assistant in Bank of Baroda. The petitioner made firing on 30.04.2015 when she came to her house from the Bank and again on 02.05.2015, the petitioner came and made firing. The informant managed to escape from her house from the door situated in the back of the house.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail in the aforesaid case. Accordingly, this petition is rejected. However, if the petitioner surrenders in the Court below, the learned court below shall consider the prayer for regular bail of the petitioner without being prejudiced by the order of this court.

(Prabhat Kumar Jha, J)

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