

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59869 of 2017

Arising Out of PS. Case No.-278 Year-2017 Thana- SONEPUR District- Saran

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Birbal Kumar @ Birbal @ Munna Sharma, S/o Late Phulendra Singh @
Sharma, R/o- Ismail Chak, P.S.- Sonapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra

For the Opposite Party/s : Mr. SIR PAWAN KUMAR CHAURASIYA

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 12-12-2017 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341/323/452/354/504 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case as per the written report of the informant is to the effect that on 19.07.2017 at 10.30 P.M while the informant was sleeping in his house, the petitioner entered into the house abused him and assaulted him with the butt of a gun. When wife of the informant came to his rescue, the



petitioner misbehaved with the wife of the informant and tore her blouse. Somehow, the informant snatched the gun from the hand of the petitioner, then the petitioner snatched gold chain from the wife of the informant and on alarm being raised, he escaped from the scene.

It is submitted by learned counsel for the petitioner that the petitioner is neighbour of the informant and in the background of the land dispute the accusation has been levelled. There is counter version of the occurrence also alleged by the brother of the petitioner against the present informant, being Sonapur P.S. Case No. 279/2017. In fact, the licenced gun of the petitioner was snatched by the informant's side. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the nature of accusation and case and counter case, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at



Chapra, in connection with Sonepur P.S. Case No. 278/2017,
subject to the conditions as laid down under Section 438(2)
Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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