

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62071 of 2017

Arising Out of PS. Case No.-585 Year-2017 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Om Prakash @ Om Prakash Jha, S/o- Madan Jha, R/o- New Colony, Balu
Ghat, P.S.- Town, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. BHARAT LAL

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 452
and 307 of the IPC and Section 27 of the Arms Act.

The prosecution case is that on 16.08.2017, at 9 PM, the
informant, after returning from his oil factory, was sitting on the
sofa in the outer room, in the meantime, 2-3 persons pushed the
main gate and resorted to firing on the informant, but it could
not hit the informant. Thereafter, other accused persons also
resorted to firing, which passed through the wooden gate, in the
meantime, the son of the informant came and raised alarm, upon
which the accused persons escaped from the scene.

It is submitted by learned counsel for the petitioner that at



earlier point of time, the petitioner lodged Complaint Case No. 1945 of 2017, against the son of the informant with accusation under Sections 406 and 420 of the IPC and Section 138 of the N.I. Act, hence, as a retaliatory measure, the petitioner has been roped in as an accused in the present case. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the fact that admittedly no one received injury due to firing and that the petitioner had lodged the complaint against the son of the informant at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No. 585 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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