

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73528 of 2018

Arising Out of PS. Case No.-110 Year-2018 Thana- KARPI District- Jehanabad

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1. Saurav Kumar @ Chiku, Son of Nand Kishore Sharma @ Dhaval Singh,
 2. Nand Kishore Sharma @ Dhaval Singh,
 3. Sunil Kumar Suman @ Bhola Singh, Both Sons of Late Ram Lakhan Singh,
- All are resident of Village- Shiv Nagar, P.S.- Karpi, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvan Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323 and 307/34 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the fardbeyan of Gautam Kumar recorded by ASI Ablesh Kumar Yadav, Karpi Police Station dated 20.07.2018 at 03.40 P.M., at Camp P.M.C.H., Patna is to the effect that on 19.07.2018 at 9.00 P.M., the petitioner no. 1, Saurav Kumar @ Chinku, co-accused Pranav Kumar @ Pinku and Gaurav Kumar called out the informant from his house on the road and began to talk rough, concerning some dispute. In the meantime, the petitioners Nand Kishore Sharma, Sunil Kumar Suman @Bhola Singh, besides the co-



accused, armed with rifle and pistol came. It is further alleged that co-accused Pranav Kumar @ Pinku caught hold of his waist while Gaurav Kumar fired from pistol causing injury on the right hand of the informant. When alarm was raised, the father of the informant and other family members of the informant came to rescue, then the petitioners fled away.

It is submitted by learned counsel for the petitioners that the specific accusation of firing is against co-accused Gautam Kumar. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent. It is further submitted that earlier the informant caused firearm injury to cousin of the petitioner nos. 2 and 3 and uncle of petitioner no. 1, for which Karpi P.S. Case No. 58 of 2013 was registered against the informant. Hence the present case has been lodged as a retaliatory measure.

Considering the nature of accusation to be omnibus and general against the petitioners and that the specific accusation of firing is against co-accused Gautam Kumar, coupled with the statement made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners 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) each with two sureties of like amount each to the satisfaction of learned **ACJM, IV, Arwal** in connection with **Karpi P.S. Case No. 110 of 2018** subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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