

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42769 of 2017

Arising Out of PS.Case No. -254 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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Imteyaz Anwar @ Shekh Imtiyaz S/o Late Eradat Hussain @ Shekh Eradat,
Resident of Village- Dharahara, P.S.- Ara Town, District- Bhojpur, Ara.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 11-01-2018 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Ara Town P.S. Case No. 254 of 2017 for the offences punishable under sections 147, 148, 149, 341, 326, 307, 504 and 506 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner and other accused persons opened fire on the informant and others causing injuries.

Submission is of false implication and that there is case and counter case between the parties, the informant has not received any injury, both sides have received injuries, Md. Tarique Anwar and eight others have been allowed pre-arrest bail vide Cr.



Misc. No. 37116 of 2017 and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that against the petitioner and Md. Naushad there is specific allegation for opening indiscriminate firing causing injury to the informant and others and there are injuries on those persons.

In the facts and circumstances stated above, considering the case of the petitioner on different footing to that of Md. Tarique Anwar and others and against the petitioner there is specific allegation of indiscriminate firing and as such I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Bhojpur, Ara.

Abhay/-

(Jitendra Mohan Sharma, J)

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