

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17344 of 2018

Arising Out of PS.Case No. -841 Year- 2017 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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PAWAN KUMAR DUBEY @ PAWAN DUBEY @ PAWAN DUBEAY
Son of Raj Kumar Dubey, Resident of Village-Agaiya, P.S.-Sanokhar,
District-Bhagalpur, at Present Resident at Mohalla-Mundichak, P.S.-
Tilkamanjhi, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Opposite Party/s : Mr. Umeshnand Pandit

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 10-04-2018 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 Kotwali (Tilkamanjhi) P.S. Case No. 841 of 2017 for the offences punishable under sections 147, 148, 149, 323, 324, 504, 506 and 307 of the I.P.C and section 27 of the Arms Act.

In the FIR allegation against the petitioner is that he and seven other FIR named accused persons started abusing Sunny Bharti and thereafter they went away after causing threats and again in the night the accused persons came and Raushan Kumar



and Golu Sah fired three times and one of the shot hit the ear of the informant causing injury and further Raushan and Golu fired five-six rounds. Manjit Singh, petitioner and Chintu Sah were also having revolver. Rahul Kumar was caught.

Submission is of false implication and that against the petitioner no offence under section 307 of the I.P.C. is made out, no fire arm has been recovered from the house of the petitioner and as such offence under section 27 of the Arms Act is also not applicable 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 the petitioner is involved in two more cases also and both are under Arms Act.

In the facts and circumstances stated above, considering that the petitioner was also present armed with revolver at the time of occurrence 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. Bhagalpur

(Jitendra Mohan Sharma, J)

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