

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23184 of 2018

Arising Out of PS. Case No.-460 Year-2017 Thana- KOTWALI District- Munger

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Raja, S/o- Md. Sayim @ Pappu, R/o- Purab Sarai behind Sabun, P.S.-
Kotwali, Distt.- Munger,.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-04-2018 Heard learned counsels for the petitioners and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 307 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the fardbeyan of Mansoor Ali, recorded by the S.I., Kotwali (Purabsarai) Police Station, on 23.12.2017 at 4 PM at Sadar Hospital, Munger is to the effect that on 23.12.2017 at 11 AM, the informant was going from Purab Sarai to his house, in the meantime, he heard the sound of gunshot, in the meantime, he received firearm injury on his chin, leading to registration of FIR against the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is named in the FIR on the hearsay statement of others and he could not be identified by the informant on the spot,



subsequently, the informant has retracted from his initial version and also filed a petition to that effect before the learned Court below. 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, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, without being prejudiced by the order of this Court, if the petitioner surrenders within a period of six weeks, in connection with Kotwali (Purabsarai) P.S. Case No. 460 of 2017, pending in the court of learned SDJM, Munger.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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