

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42804 of 2018

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1. Sri Bhagwan Thakur S/o late Ghamla Thakur R/o Village- Manikpur,
P.S. Simri, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Simri (T.r.H.O.P.) P.S.Case no.102 of 2018 dated 10.5.2018 registered for offences punishable under Sections 147, 148, 149, 323, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of firing by the gun causing injury to the '*Bhagina*' of the informant.

Submission of the learned counsel for the petitioner is that the injury report does not support the prosecution case as the injury has been found on the chick and not on the abdomen. It is also submitted that there is case and counter case between the parties and one person from the side of the petitioner has also died.

Heard learned A.P.P. also, who has opposed the prayer for



bail stating that there are injuries on the person of the injured caused by the fire arm.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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