

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60366 of 2018

Arising Out of PS. Case No.-120 Year-2018 Thana- KHAJEKALA District- Patna

Vicky Kumar, Son of Chandradeep Yadav, Resident of Mehandiganj, P.S.-
Mehandiganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-11-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 307/34 of the Indian Penal Code.

The prosecution case, in brief, is that in the backdrop of a dispute, the accused persons fired upon the elder son of the informant, as a result of which, he sustained fire-arm injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The letter of the I.O. dated 23-10-2018 which is part of the case diary, indicates that after repeated efforts, the injury report of the victim could not be made available. In absence of the injury



report, it cannot be ascertained as to whether offence u/S 307 of the IPC has been committed or not. The alleged occurrence has taken place due to land dispute.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna City, Patna in connection with Khajekalan P.S. Case No. 120 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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