

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33290 of 2018

Arising Out of PS.Case No. -533 Year- 2017 Thana -SAUR
BAZAR District- SAHARSA

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Deban Sharma, Son of Late Ramdeo Sharma R/o Vilalge -
Sahuriya, East P.S. Sour Bazar, District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-07-2018 The petitioner seeks bail in anticipation of his arrest in connection with Sour Bazar P.S. Case No. 533 of 2017, dated 15.11.2017, instituted for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

One Ganesh Yadav and the petitioner are said to have dragged the informant out of his house and fired on him. The shot fired by aforesaid Ganesh Yadav led to simple injuries on the person of the informant, whereas the firing resorted to by the petitioner is said to have hit a goat, as a



result of which it died.

Learned counsel for the petitioner has submitted that the firing by him has not injured the informant. He has further submitted that the other accused persons have been granted anticipatory bail by a Bench this Court. He also stresses the point that he does not have any criminal antecedent.

Regard being had to the allegation of firing, I am not inclined to enlarge the petitioner on anticipatory bail.

However, if the petitioner surrenders before the court below and seek bail within a reasonable period of time, the court below shall take into account that the informant has not been injured by his firing and he has no criminal antecedent and he shall not be prejudiced by the fact that the present petition has not been entertained.

With the aforesaid observation and direction, the petition stands disposed of.

(Ashutosh Kumar, J)

Praveen-II/-

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