

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.65976 of 2018**

Arising Out of PS. Case No.-214 Year-2018 Thana- SAHARSA District- Saharsa

Hayat @ Md. Hayat Khan Son of Mustak @ Mustak Khan Resident of  
Village-Saharsa, Basti, Ward No.38, P.S. + Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Maya Shankar Mishra

For the Opposite Party/s : Mr. Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      31-10-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 307, 427, 504, 506, 120(B) of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that the accused persons intercepted the informant and his brother-in-law and accused Chunna fired, which hit in right shoulder of the informant, due to which he fell down.

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 falsely been implicated in the present case due to previous enmity and the cases are pending



between the parties. None is said to have injured in course of occurrence. There is no injury report on record to show that anyone is said to have injured. The present case is afterthought of the case instituted by the accused side upon the informant and others.

On behalf of the State, it is submitted that the petitioner is are 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 Chief Judicial Magistrate, Saharsa in connection with Saharsa (Sadar) P.S. case No.214 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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