

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72009 of 2018

Arising Out of PS. Case No.-270 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

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Mukhadev Yadav S/o Late Budhan yadav Resident of Village-Bajruha,P.S.
Udwant Nagar,Distt.-Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Mr. Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection with Udwantnagar P.S. case No.270 of 2018 registered under Sections 147, 148, 149, 341, 342, 323, 324, 504, 307, 379 of the Indian Penal Code and 27 of the Arms Act, pending in the court of Chief Judicial Magistrate, Bhojpur, Ara.

Allegation is that while the informant went to animal fair for purchasing buffalo and as soon as he reached near Udwantpur Station, the accused persons including the petitioner surrounded him. Thereafter Nandji Singh gave order, the the petitioner fired upon the informant by katta, on account of which he sustained injury and fell down on the earth.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. It is a case and counter case between the parties.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. He is alleged to have fired upon the victim. The injury report also corroborates with the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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