

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48533 of 2018

Arising Out of PS. Case No.-14 Year-2018 Thana- BAKHARI District- Begusarai

Monu Singh S/o Pawan Singh @ Pawan Kumar Singh, R/o Vill.- Parihara,
P.S.- Bakhri, District- Begusarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh

For the Opposite Party/s : Mr. Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302/34, 120(B) of the Indian Penal Code.

The prosecution case, in brief, is that while the informant's brother was going to his shop, at the way, the accused persons fired upon him, as a result of which, he sustained fire-arms injury.

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 been falsely implicated in the present case. The specific allegation of firing upon the deceased is against co-accused, namely Vinay Sah, Lalo Sahani, Shwet



Kumar and Sushil Singh. So far the petitioner and other accused are concerned, they are alleged to have made indiscriminate firing at the time of occurrence. No specific injury is attributed against the petitioner.

On behalf of the State and the counsel for the informant, it is submitted that the petitioner is named in the F.I.R. He is alleged to have fired in course of the occurrence. Offence under Sections-302/34 of the IPC is made out against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Bakhri P.S. Case No. 14 of 2018 is rejected.

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

(Sudhir Singh, J)

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