

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65193 of 2018

Arising Out of PS. Case No.-65 Year-2017 Thana- ALIPUR District- Gaya

Jai Prakash Kumar Son of Sri Nand Kishore Sharma Resident of Village-
Keshpa, Police Station-Alipur, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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 341, 323, 324, 326, 307, 504, 506 and 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that co-accused Neeraj Kumar took informant's son on call of co-accused Vicky Prakash at his residence where FIR named co-accused assaulted the victim Subodh Kumar and co-accused Vicky Prakash fired upon the victim causing fire arms injury into his stomach.

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 is not named in the FIR. His name has come in course



of investigation. The petitioner has been falsely implicated in the present case. The main allegation of firing upon the victim Subodh Kumar is against co-accused Vicky Prakash. The injury report indicates only one injury caused by fire-arms.

On behalf of the State, it is submitted that the petitioner is not 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 Additional Chief Judicial Magistrate-II, Gaya in connection with Alipur P.S. Case No. 65 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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