

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2619 of 2019

Arising Out of PS. Case No.-316 Year-2018 Thana- GHOSI District- Jehanabad

Chhotu Sharma @ Dudh Nath Sharma, Resident of Village- Ginji, P.S.-
Ghoshi, District-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 307/34 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of Lalu Kumar, dated 19.08.2018, submitted to the Station House Officer, Ghoshi Police Station, is to the effect that on the same day, at 6.30 A.M., when the informant was coming home, on the way, co-accused Rajiv Nayan resorted to fire, which did not hit the informant, whereas co-accused Vishnu Sharma resorted to fire, which hit on the waist of the informant. It is alleged against the petitioner that he was sitting on a motorcycle, who helped the accused persons to escape from the scene.



It is submitted by learned counsel for the petitioner that the accusation of firing has not been alleged against the petitioner and in the background of a dispute between the parties, from before, the accusation has been levelled against the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that accusation of firing has not been alleged against the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Judge-1st, Jehanabad in connection with Ghosi P.S. Case No. 316 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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