

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11769 of 2019**

Arising Out of PS. Case No.-86 Year-2018 Thana- NOWKOTHI GARHPURA District-  
Begusarai

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Diwakar Singh @ Raman Singh @ Pankaj Singh Son of Bhrigudev Singh  
Resident of Village- Dina Chakla, P.S.- Pasraha, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Nakul Kumar Jamuar  
For the Opposite Party/s : Mr.Atul Chandra

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

2      26-02-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 307, 353 of the Indian Penal Code and 25(i-B), 26, 27, 35 of the Arms Act.

The prosecution case, in brief, is that while the police went to discharge the official duty, the petitioner and others obstructed and also opened fire.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. There is no other substantive evidence to suggest that the petitioner is involved in the present case. The petitioner had deposed in the trial against the informant and hence, he has been



made accused in this case.

On behalf of the State , it is submitted that the petitioner is named in the F.I.R. In course of discharge of official duty, the petitioner obstructed the police officials and the petitioner as well as others opened fire upon the police officials.

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 Nawkothe P.S. Case No. 86 of 2018 is rejected.

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

**(Sudhir Singh, J)**

A.K.V.//-

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