

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16946 of 2019

Arising Out of PS. Case No.-488 Year-2018 Thana- MASAUDHI District- Patna

Pushpendra Kumar S/o Madan Prasad, Resident of Village- Chapaur, P.S.-
Masaurhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-03-2019 Heard both sides.

The petitioner apprehends his arrest in Masaurhi P.S.
Case No.488 of 2018 registered under Sections 341, 323 and
307 of the Indian Penal Code and under Section 27 of the Arms
Act.

The informant alleged that the petitioner was
intoxicated and asked the informant to spend some money as the
informant became a ward councilor. When the informant replied
in negative, the petitioner is alleged to have fired with his pistol
which passed through touching the head of the informant.

Learned counsel for the petitioner submits that the
doctor has found one abrasion on left parietal region. If the
firing touched the skin of the head, there should have been a
scratch on the parietal region but there was abrasion. It is



submitted that the informant has falsely implicated the petitioner only because the petitioner is co-villager of the informant.

Having considered the facts that the petitioner, who was intoxicated, is alleged to have fired although the firing did not hit the informant, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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