

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40537 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- KUCHILA District- Kaimur (Bhabua)

Akhtar Khan, Son of Kaimu Khan @ Kaimuddin Khan Resident of Village-
Mukhrama, P.S.- Kuchila, District- Kaimur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate,
Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Shyameshwar Daval, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

[illegible]

The petitioner apprehends his arrest in connection with Kuchila P.S. Case No. 02 of 2019, registered under Sections 302, 120(B), 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of the A.C.J.M-III, Kaimur at Bhabhua.

The accusation is that on 28.01.2019, on hearing the sound of firing, the informant woke up and saw in the light of bulb that the petitioner was fleeing from her roof having pistol in his hand and her husband has sustained firearm injury at his right temporal region. On raising alarm, all family members reached there. The cause of occurrence is that the



petitioner had illicit relation with the daughter of the brother-in-law of the informant and protest was made by the family members of the informant.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case as in course of investigation the informant, in his restatement, gave contradictory statement saying that she was informed by her son regarding fleeing of petitioner.

Having considered the facts and circumstances of the case and the nature of offence, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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