

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44988 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- DESARI District- Vaishali

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Mukesh Kumar Chaudhary @ Pampam Chaudhary, Son of Mahesh Narayan Chaudhary Resident of Village - Sahdai Bujurg, P.S.- Desari (Sahdai O.P), Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioners and

learned counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with

Desari P.S. Case No.135 of 2019 for the offence punishable

under Section 307/34 of the Indian Penal Code and Section 27

of Arms Act.

The allegation against the petitioner is that the

petitioner arrived at the door of the informant on a motorcycle

along with other accused persons and on the order of the

petitioner, one accused person fired upon the informant with

intention to cause death of the informant.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case inasmuch as

the informant is the neighbours of the petitioner.



Learned counsel for the petitioner further submits that it has been alleged that on the order of the petitioner, firing was made by other persons which did not hit the informant. Learned counsel further submits that no injury has been caused to anybody due to such firing, however, the alleged cartridges were produced by the informant himself before the police and police has not recovered any cartridges from the place of occurrence. Learned counsel for the petitioner further submits that the petitioner is Central Government employee and had come in the village on holidays and has falsely been implicated in this case.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no injury has been caused to informant due to alleged firing and the petitioner appears to be order giver, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned
A.C.J.M.-II, Vaishali at Hajipur, subject to the condition as
mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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