

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59678 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- BANKA District- Banka

1. BABBU ANSARI @ BABUA ANSARI @ KUDRAT ANSARI Son of Ainul Ansari Resident of Village- Gosaiyee Tola, Katoriya, P.S.- Katoria, District- Banka.
2. Shivjee Mandal @ Shiv Shankar Ram @ Shivjee Ram Son of Sahdeo Ram @ Sahdeo Ramani Resident of Village- Laxmipur, katoria(FIR Village Gosaiyee Tola), P.S. Katoria, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-09-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Banka P.S.Case No.89 of 2019 registered for offences punishable under Sections 341, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is of firing on the informant, causing injury to the informant.

Submission of the learned counsel for the petitioners is that though it is stated that the informant was taken to the Primary Health Centre, Banka but there is no injury report of the Primary Health Centre , Banka available on the record.

Heard learned A.P.P. , who has opposed the prayer for bail



of the petitioner on the ground that there is allegation of firing against the petitioner and the impugned order itself shows that one of the injuries was fractured injury and there are injuries on the person of the informant..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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