

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7560 of 2020

Arising Out of PS. Case No.-141 Year-2019 Thana- KHUDAGANJ District- Nalanda

HAQEEK SAHAV @ HAQUE SAHAB @ HAQUE SAHAB Son of Md. Arif @ Md. Pyaroo Saheb @ Md. Pyar Resident of Village- Arjun Serthua Dih, P.S.- Khudaganj, Distt- Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Krishna Kant Singh, Advocate
For the Opposite Party/s :	Mr.Mohammed Arif, Advocate
For the Informant :	Mr. Anil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 07-07-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State as also the learned counsel appearing for the informant.

Petitioner apprehends arrest in Khudaganj PS Case No. 141 of 2019 registered under Sections 341, 323, 307, 504, 506/34 of the IPC and Section 27 of the Arms Act.

Written report has been submitted by the informant wherein allegation of abusing and assaulting the informant with but of pistol has been made against the petitioner and co-accused Ezaz Ahmad. One Jahada Khatoon, wife of Tazuddin Saheb is alleged to have suffered fire arm injury as a result of firing by the petitioner.



Learned Counsel for the petitioner submits that it is a case of false implication. Date of occurrence is 12.9.2019, the written report however has been submitted on 18.9.2019. No document showing treatment of injured at Patna has been collected in course of investigation.

Learned APP for the State has opposed the prayer for anticipatory bail. It is submitted that the informant in his re-statement and other witnesses, including the SDPO supervising investigation of the case, have supported the prosecution case. There is direct allegation against the petitioner of indiscriminate firing and causing fire arm injury. The petitioner therefore is not entitled to anticipatory bail.

Having considered the rival submissions this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

The prayer is rejected.

(Madhuresh Prasad, J)

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