

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17512 of 2020**

Abhishek Kumar son of Sri Avinash Prasad @ Avinash Rai, R/o village-
Jandaha, P.S.- Jandaha, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 07-08-2020 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Mahnar P.S. Case No. 345 of 2019 registered for the offences punishable under Sections 307, 34 of the Indian Penal Code and Sections 25(1-b)A, 26, 27 and 35 of the Arms Act pending in the court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

Learned counsel for the petitioner submits that although the petitioner is named in the First Information Report and there is a specific allegation of firing against him which has also caused injury but the injury is lacerated in nature and according to him the injured has not made any statement against the petitioner.



Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioner. It is submitted that in view of the specific allegation supported by the injury report coupled with the criminal antecedent of the petitioner as stated in paragraph '3' of the present application, the petitioner does not deserve the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case, this Court is of the considered opinion that in view of there being specific allegation of firing causing injury on the head of the brother of the informant, the gravity of the offence and the materials which have been collected in course of investigation so far, as have been noticed by the learned Sessions Judge, Vaishali in the impugned order, and further that the petitioner has got as many as five cases on his head and all are in the nature of serious and heinous crimes alleged against him, the petitioner does not deserve the privilege of anticipatory bail.

The application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

