

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64515 of 2019

Arising Out of PS. Case No.-541 Year-2019 Thana- FATUA District- Patna

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Bhushan Prasad, Son of Late Ragho Prasad, Resident of Village - Rasalpur,
P.S.- Fatuha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar- Advocate

For the Opposite Party/s : Mr. Ramchandra Singh- A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

5 16-06-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with Fatuha P. S. Case No.541 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 120(B)/ 504 of the I.P.C. and Section 27 of the Arms Act.

There is allegation that petitioner and one co-accused Shashi Ranjan Kumar opened fire causing firearm injury on the left elbow of the informant.

The present occurrence is said to have taken place on 11.08.2019, and the informant gave his typed report to police on 13.08.2019. Furthermore, the case diary goes to show that the



injury report of informant has been issued by the private doctor.

Submission on behalf of the petitioner is that the petitioner has been implicated in this case on account of village politics and previous enmity. He further submits that the delay in lodging the case as well as issuance of injury report by the private doctor make the prosecution case doubtful. He further submits that the petitioner does not have any criminal antecedent, which has been pleaded at Para-3 of the petition.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Patnacity, Patna in connection with Fatuha P. S. Case No.541 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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