

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18441 of 2020

Arising Out of PS. Case No.-349 Year-2016 Thana- NAUBATPUR District- Patna

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SHALENDRA KUMAR @ SHAILENDRA SINGH @ SHAILENDRA KUMAR SHARMA (MUKESH KUMAR) S/o Late Bimal Singh @ Bimal Kumar Resident of Shambhupura, P.S.- Naubatpur, District- Patna, At present residing at House No. 366, Ashram Gali, Village and P.O.- Arsande, P.S.- Kanke, District- Ranchi

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Raj Shekhar, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 07-12-2021 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as the learned APP for the State.

The petitioner apprehends his arrest in connection with Naubatpur P.S. Case No. 349 of 2016 registered under Sections 147, 148 149, 307 I.P.C. read with Section 27 of Arms Act.

The allegation as per FIR is that the accused persons named in the FIR, due to land dispute indiscriminately opened fire on Ashok Kumar the son of the informant, co-accused Atul Singh and Chhote Lal Singh have also fired by rifle which hit



Ashok Kumar.

The learned counsel for the petitioner has submitted that the allegation against the petitioner is general and omnibus and FIR itself shows that the injured sustained gun shot injury not fired by the present petitioner but fired by co-accused Atul Singh and Chhote Lal Singh. He has further submitted that co-accused persons on similar ground has been granted anticipatory bail by the coordinate Bench of this Court in Cr. Misc. No. 31348 of 2018 order dated 12.6.2018.

On the other hand, the learned APP opposed the prayer for bail of the petitioner.

Considering the facts that the allegation against the petitioner is general and omnibus and that the other co-accused persons on similar footing granted anticipatory bail by the learned coordinate Bench of this Court, let the petitioner be released on bail in the event of his arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Danapur in connection with Naubatpur P.S. Case No. 349 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.,



Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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