

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30295 of 2020

Arising Out of PS. Case No.-197 Year-2019 Thana- DIGHA District- Patna

SUJEET KUMAR @ STERING, aged about 24 years, Male, Son of Ramdular Mahato, Resident of Village - Street No. 64 Kurajee More Near the house of Dharmendra Mukhia, P.S.- Digha, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ram Sewak Prasad, Advocate.

For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 307, 504, 506, 324/34 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that while the informant was eating egg at *Kurji Kothiya Canal* alongwith his friends, in the meantime, six persons came on two Motorcycles and surrounded them and started abusing and threatening them then informant objected on which all the accused persons took



out pistol and started firing due to which one bullet hit on informant's stomach and his friend Mukesh got hit by chhrra of the bullet and thereafter all the accused persons fled away.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case for oblique reason. There is no allegation of tampering with the witnesses alleged against the petitioner. Four persons are said to have fired upon the informant alongwith two unknown persons. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The case diary does not bear the injury report. Hence, allegation made in the F.I.R. cannot be substantiated in absence of the injury report.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna, in connection with Digha P.S. Case No.



197 of 2019, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

