

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34204 of 2020

Arising Out of PS. Case No.-465 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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ABHISHEK KUMAR @ UPENDRA SAHANI S/o Harihar Sahani Resident
of Village- Bakatpur, P.S.- Kanti, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey
For the Opposite Party/s : Mr. Choubey Jawahar ,APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2021 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 APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 341, 323, 307, 354-B of the
Indian Penal Code and 25(1-B)a, 27 and 35 of the Arms Act.

The prosecution allegation, in short, is that while the
informant along with his wife was on the way, the accused persons
started abusing them which was pacified and when they returned
home, the accused persons, variously armed, came to his house and
fired at him which did not hit him..

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Though as per the F.I.R., there is allegation of firing but none is said to have been injured in course of occurrence. The petitioner has been made accused due to oblique reasons. The informant has filed an informatory petition in the Court below which is Annexure-2 to the present application.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Kanti P.S. Case No. 465 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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