

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38949 of 2020

Arising Out of PS. Case No.-212 Year-2020 Thana- SHEKHPURA District- Sheikhpura

Banti Kumar, Son of Baleshwar Yadav, Resident of Village - Firojpur, P.O.-
Ugma, P.S.- Asthawan, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Harun Quareshi, Advocate.

For the Opposite Party/s : Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing .

The petitioner apprehends his arrest in connection with Sheikhpura P.S. Case No. 212 of 2020, registered under Sections 341, 323, 324, 307 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on 21.06.2020, at about 9 P.M., informant, Indal Yadav, was returning to his house driving his tractor but in the way, parts of the tractor fell down then he



stopped the tractor and started to search the parts of the tractor. In the meantime, Banti Kumar (petitioner), Parbhat Kumar and Saheb Kumar come on motorcycle and started to make indiscriminate firing. At that time, Banti Kumar (petitioner) shot fire at him, causing injury at his left hand whereas Saheb Kumar fired at him, which passed nearby at his head and Prabhat Kumar also fired at him but the same was also passed nearby him.

Learned counsel for the petitioner submits that the three persons named in the FIR including the petitioner are the co-villagers of informant and due to dirty village politics, they have been implicated in the present case with false allegation. Further submission is that while it is alleged that the petitioner shot fire at the left hand of the informant but one injury, i.e., lacerated wound and swelling of left elbow, 2" x 2" with complain of body ache caused by hard and blunt substance not by firearm, was found on the person of the informant. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura P.S. Case No. 212 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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