

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8566 of 2021

Arising Out of PS. Case No.-61 Year-2020 Thana- GAUTAMBUDHNAGAR District- Siwan

Md. Gulfan Siddique @ Gulfam Siddique S/O Ahmad Irsad Siddique
Resident of Ratan Panrauli, Ratanparauli, Siwan, Bihar-841242

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunal Tiwary, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 341, 307, 302, 504, 506 and 366 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he along with other accused persons started firing indiscriminately when the orchestra party was going on. It is alleged in the FIR that informant's son Raja Kumar and Pravin Kumar were badly injured and they were taken to the hospital where Raja Kumar was declared dead.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that petitioner was not present on the spot. He submits that informant has filed a petition before the learned court below under Section 296 of Cr.P.C. where he has clearly stated that the petitioner was not there on the date of occurrence and due to pressure of other persons, petitioner has been made accused in the present case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail and submits that the petitioner was involved in firing by pistol as a result of which Raja Kumar died.

Considering the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected.

If the petitioner surrenders before the learned court below within six weeks and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--



