

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12098 of 2021

Arising Out of PS. Case No.-184 Year-2020 Thana- WARISNAGAR District- Samastipur

MONU KUMAR S/o Bhola Roy @ Chandrika Prasad Rai R/o village-
Chandauli, P.S.- Waris Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sujit Kumar Singh
For the Opposite Party/s :	Mr.Mrityunjay Kumar
	Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 03-03-2022 Heard learned counsels for the petitioner, the State
and the informant.

Petitioner apprehends arrest in connection with Waris
Nagar P.S. Case No. 184 of 2020 registered for the offence
punishable under section 307/34 of the Indian Penal Code and
section 27 of the Arms Act.

Learned counsel appearing for the petitioner submits
that petitioner has not committed any offence as alleged in the
first information report and has been falsely implicated in this
case. There is no allegation of firing against this petitioner. The
allegation of firing is against co-accused Md. Gulab with whom
this petitioner has no concern. Petitioner has no criminal
antecedent.

Learned Addl. P.P. appearing for the State being assisted by the learned counsel for the informant opposes the prayer for bail and submits that petitioner is named accused in the first information report. Petitioner was riding the motorcycle from which the accused persons had come and had made firing causing injury to the daughter of the informant and thereby has taken active participation in commission of the offence. Petitioner, therefore, does not deserve to be granted the privilege of anticipatory bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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