

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13913 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Abhishek Kumar Singh @ Raja, Male, aged about 24 years, S/O Anil Kumar Singh @ Anil Singh, R/O Karpurygram P.O. and P.S.- Mufassil, Samastipur, Bihar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vishal Vikram Rana, Advocate
For the Opposite Party : Mr. Rajeev Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The petitioner is apprehending his arrest in
connection with Muffasil P.S. Case No. 230/20 for the offence
registered under Sections 341, 323, 324, 326, 307, 120(B) of the
I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 30.05.2020
at about 4.30 P.M., the informant went outside for purchasing
Bulb. At around 7.30 P.M., when he was returning and reached
near at *Durga Mandir*, four accused persons were waiting on



two Motorcycles at *Pakki Road*. As soon as, he reached there, they started firing at him and three bullets hit him on his leg and waist. Somehow, informant reached his home on Motorcycle in injured state and he fell down. Informant identified two accused out of four i.e., Thakur Chandrashekhar Singh @ Sanni and Abhishek Kumar Singh @ Raja.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. As per allegation, the petitioner alongwith other accused persons are said to have fired upon the victim. General and omnibus allegation has been made against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is also alleged to have fired at the time of occurrence alongwith other accused persons. Three firearms injuries are said to have been found upon the victim.

Considering the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Mufassil P.S. Case No. 230/20, pending in the court of learned A.D.J.-III, Samastipur.



If the petitioner surrenders in the learned court below and prays for regular bail, the same shall be considered by the learned court below on its own merit without being prejudiced by this order of the Court.

(Sudhir Singh, J)

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