

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32053 of 2022

Arising Out of PS. Case No.-370 Year-2021 Thana- DUMRAO District- Buxar

RAVIKANT UPADHYAY @ MUNNA UPADHYAY S/o Shashi Kant
Upadhyay Resident of Village- Majharia, P.S.- Bucar Industrial in the district
of Buxar. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the Office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 386, 307, 504, 506, 120(B),
427 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in short, is that in course of
construction of boundary wall by the informant, the accused persons
came and demanded rangdari and on protest by the informant,
accused persons fired at him which could not hit him and fled away.
The accused persons fired at person who came in rescue due to which
he sustained injury.

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. The allegation of firing is alleged against the co-accused namely Rajan Tiwari who is alleged to have fired upon the victim. So far petitioner is concerned, there is no allegation of assault alleged against him. The alleged occurrence is said to have taken place due to land dispute.

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 twelve 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, Buxar in connection with Dumraon P.S. Case No. 370 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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