

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61376 of 2021**

Arising Out of PS. Case No.-145 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

VIKASH CHAUBEY @ VIKAS RANJAN S/o LATE ANIL CHAUBEY R/o
VILLAGE-FAKARABAD, P.S-KUDRA, DISTRICT-KAIMUR (BHABUA).

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 29-04-2022 Heard Mr. Vinay Kumar Mishra, learned Advocate for
the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Kudra P.S. Case No. 145 of 2021 dated 06.06.2021 instituted for the offences under Sections 290 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

For the reason of the firing resorted to by the petitioner in a wedding in which one five year old boy was hit by the bullet, I am not inclined to grant anticipatory bail to the petitioner, notwithstanding the argument advanced on his behalf that later the eye witnesses have retracted from their statements and have stated that none of them had seen who had fired.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court



below and seeks bail, his application shall be considered on its own merits and an order shall be passed without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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