

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9246 of 2021**

Arising Out of PS. Case No.-430 Year-2020 Thana- LAKHISARAI District- Lakhisarai

VIKASH KUMAR SON OF SHRAWAN YADAV @ SHRAWAN KUMAR
R/O VILLAGE- GARHI BISHANPUR, P.S.-LAKHISARAI, DISTRICT-
LAKISHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 10-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within a period of four weeks of the resumption of normal court proceedings. In the eventuality of non-removal of defects within the undertaken time, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Lakhisarai P.S. Case No.430 of 2020, registered for the offence punishable under Sections 341/323/307/504/34 of the IPC and section 27 of the Arms Act.

The allegation against the petitioner is that he along



with other accused persons abused and assaulted the informant. On protest, petitioner fired with pistol upon the informant. It is alleged that petitioner used to sell wine and intoxicant. The informant was going to inform the same to the police and for this, the petitioner fired upon the informant. One cartridge has been recovered from the place of occurrence.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to personal enmity. No such occurrence as alleged has ever taken place. No incriminating article has been recovered from the conscious physical possession of the petitioner. No bullet has hit the informant nor any injury has been sustained on his person. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation of firing levelled against the petitioner and recovery of empty cartridge has also been made by the police.

Considering the submissions of the parties and the facts and circumstances of the case, I am not inclined to grant



anticipatory bail to the petitioner named above. The prayer for
grant of anticipatory bail to the petitioner is rejected.

Accordingly, the instant bail application is dismissed.

(Anjani Kumar Sharan, J)

pallavi/-

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

