

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64411 of 2021

Arising Out of PS. Case No.-64 Year-2020 Thana- SAHPUR District- Bhojpur

Kulshekhar Mishra Son Of Bijay Shankar Mishra @ Munmun Mishra
Resident Of Village- Sonbarsa, P.S.- Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 20-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

Petitioner is said to have fired upon the son of the informant as a result of which he died on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation



levelled against the petitioner. He submits that similarly situated co-accused has already been granted bail by the learned court below itself. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Shahpur P.S. Case No. 64 of 2020.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day considering the fact that similarly situated co-accused has already been granted bail by the learned court below itself.

(Anjani Kumar Sharan, J)

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