

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66699 of 2021

Arising Out of PS. Case No.-276 Year-2020 Thana- GORAUL District- Vaishali

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AASHISH KUMAR @ BADAL KUMAR @ BADAL KUMAR SAHANI
Son of Shivnath Sahani Resident of Village- Shahpur Khurd, P.S.- Goraul,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Rashmi Jha,Adv.

For the Opposite Party/s : Mr.Ashok Kumar,APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-10-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 504, 34 of the Indian Penal Code and Section 25(1-b)a, 37 of Arms Act.

As per the prosecution case, petitioner assaulted informant by butt of the pistol on his head and tried to make firing, but pistol of petitioner was snatched by Sanoj Kumar and Dharmendra Sahni.

It is submitted on behalf of petitioner that though, there is allegation of assault on the head of informant against this petitioner, but there is no injury report on record. There is no allegation of firing against this petitioner. There is case and counter case.



However, learned A.P.P. for the State opposed the bail petition and submitted that the alleged pistol has already been recovered from possession of petitioner and petitioner has got one criminal antecedent also of Arms Act.

Considering the same, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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