

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67612 of 2021**

Arising Out of PS. Case No.-69 Year-2020 Thana- ASHTHAWAN District- Nalanda

RAKESH KUMAR @ HARE RAM PASWAN @ HARE RAM KUMAR S/o
Firant Lal Paswan R/o village- Ganichak, P.S.- Asthawan, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh
For the Opposite Party/s : Mr. Rajendra Singh

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

3 01-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The petitioner apprehends his arrest in Asthawan P.S. Case No. 69 of 2020 registered for the offences punishable under Section 147, 148, 149, 341, 323, 307, 504 & 506 of the Indian Penal Code and Section 27 of the Arms Act pending in the Court of learned C.J.M., Nalanda at Biharsharif.

The allegation against this petitioner is that he resorted firing which hit in the right thigh of the informant.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No incriminating article has been recovered from the conscious physical possession of the petitioner. It is further submitted that neither a single witness nor any independent witness has supported the prosecution case.

Learned APP for the State vehemently opposing the bail petition submitted that considering the seriousness of the allegation alleged against the petitioner, he does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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