

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7149 of 2023

Arising Out of PS. Case No.-83 Year-2022 Thana- NARAINPUR District- Bhojpur

1. Abhishek Upadhyay @ Banti Upadhyay @ Abhishek Kumar Upadhyay Son of Lal Mohar Upadhyay Resident of Village - Maranpur, P.S.- Narayanpur, District - Bhojpur.
2. Avikash Upadhyay @ Avikash Kumar Upadhyay Son of Lal Saheb Upadhyay Resident of Village - Maranpur, P.S.- Narayanpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-06-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 447, 504, 506, 147, 148, 149 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons including these petitioners and 10-15 unknown persons came at the house of the informant and made indiscriminate firing.

Learned counsel appearing for the petitioners submits that though there is allegation of indiscriminate firing but no one sustained any fire arms injury. It is next submitted that it was the



prosecution party who was the aggressor and they tried to molest the informant to which Narayanpur P. S. Case No. 84 of 2022 was instituted by the mother of petitioner No. 2 and present case has been lodged only to save his skin from the aforesaid case. As a matter of fact, petitioner No. 1 is a C.R.P.F personnel and at present he is posted in the State of Bengal and so far petitioner No. 2 is concerned, there is no allegation of overt act against him. Petitioners have got clean antecedent.

Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Bhojpur at Ara in connection with Narayanpur P. S. Case No. 83 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

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

