

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29029 of 2023

Arising Out of PS. Case No.-920 Year-2019 Thana- JAHANABAD District- Jehanabad

PAWAN KUMAR S/O PRAHLAD SHARMA R/O Village- Chhotaki Berra,
Police Station- Masaurhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 17-07-2023 1. Heard learned counsel for the parties.
2. Petitioner apprehends his arrest in connection with Jehanabad P.S. Case No.920 of 2019, registered for the offence punishable u/s 341, 323, 307, 506/34 of the IPC and section 27 of the Arms Act.
3. As per the prosecution case, the petitioner pointed and fired from his pistol upon the brother of the informant which hit on his thigh and it is alleged that petitioner and his associates opened 3 to 4 round firing.
4. 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. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that the informant took loan of Rs.50,000/- from the petitioner with assurance to refund within six months but despite repeated



demands, the same was not returned and on the alleged date, he called the petitioner for negotiation, where the informant came with his associates. Thereafter, again the demand to return the money was made by the petitioner, on which informant started scuffle and firing was made. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is direct allegation against the petitioner to fire upon the informant which did not hit him and hit the brother of the informant, which is clear from the impugned order itself.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

pallavi/-

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

