

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39283 of 2023**

Arising Out of PS. Case No.-5 Year-2023 Thana- SANDESH District- Bhojpur

=====

DHANANJAY KUMAR SINGH @ DHANANJAY KUMAR Son of Sunil Singh @ Sunil Kumar Singh Resident of Village- Bara, PS- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Nand Kishore Prasad

=====

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

3 19-10-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Sandesh P.S. Case No. 05 of 2023 registered for the offences punishable under Sections 307, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the Court of learned J.M. Bhojpur at Ara.

3. As per the prosecution case, it is alleged that the petitioner along with other co-accused persons has fired upon the son of the informant causing injury upon his leg.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further



submits that neither any empty cartridge nor any live cartridge has been recovered from the place of occurrence. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submit that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. 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.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioner has no criminal antecedent.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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

