

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36351 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- MAHUA District- Vaishali

Prince Kumar S/o Prahalad Mishra @ Prahlad Mishra, R/o Village-
Gaddopur, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 307, 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the prosecution case, the allegation against the petitioner alongwith his friend is that they attacked on the informant. The specific allegation against the petitioner is of firing upon the informant and fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. He further submits that antecedent of petitioner is clean. He also submits that informant called on mobile phone of petitioner, when petitioner reached there he saw that informant is creating



non-sense and due to college rivalry he false implicated the petitioner in this case.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that there is allegation against the petitioner and other co-accused that they suddenly started firing with pistol towards the informant and his friends and they sustained fire arms injuries.

6. In the present facts and circumstances and the submissions made above, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Mahua P.S. Case No.34 of 2023 to the satisfaction of learned C.J.M., Vaishali at Hajipur.

7. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

8. However, the learned Court below shall consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of four weeks.

9. The present order shall not cause any prejudice to the petitioner.

(Dr. Anshuman, J.)

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