

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44604 of 2023

Arising Out of PS. Case No.-519 Year-2022 Thana- FATUA District- Patna

Vikash Kumar @ Vikash Yadav @ Poiya Son Of Dharmendra Kumar Singh
@ Sipahi Resident Of Village - Niyajipur, P.S. - Fatuha, Distt. - Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 323, 341, 307, 427, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along with other accused persons have assaulted the informant's side with firearm.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that the injury report of the injured Amar Nath Kumar was prepared by the private hospital. He submits that according to the FIR



injured received two leg injury but on perusal of his medical report it is clear that only one injury found on the person. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposing the prayer for bail submits that the petitioner along with other accused persons fired upon the injured person.

6. Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Fatuha P.S. Case No. 519 of 2022.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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