

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44839 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- SIWAN CITY District- Siwan

VICKY @ TAUSIF KHAN Son of Mohammad Tufique Khan @ Taufique Khan R/v- at M.M. Colony, P.S- Sarai (O.P) Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Amitesh Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 11-01-2023 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner apprehends his arrest in connection with Siwan Town (Sarai O.P.) P.S. Case No. 69 of 2022, registered for the offences punishable under Sections 307/34 of the Indian Penal Code & Section 27 of the Arms Act.

As per allegation, the petitioner and his brother Ricky opened indiscriminate firing on the informant, Ayan Ahmad and Shoaib Khan. The informant sustained injuries in his wrist and stomach whereas Shoaib Khan received injury in his left hand.

The learned counsel for the petitioner has submitted that the petitioner is innocent. The co-accused confessed his guilt and has



stated that he has fired shot.

On the other hand, the learned Addl.P.P. has opposed the prayer for bail and submitted that there is specific allegation against the petitioner that he opened indiscriminate firing.

As per medical report the injured persons have received firearm injuries and one of the injuries are grievous in nature.

In my view, it is not a fit case for anticipatory bail. Accordingly, it is rejected.

If the petitioner surrenders before the court below and makes a prayer for regular bail, that shall be disposed of on its own merit without being prejudiced by this order.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

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

