

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52689 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- BAHERA District- Darbhanga

Sudarshan Mishra @ Bikku, Son of Balmukund Mishra, Resident of Village-
Tumaul, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bahera P.S. Case no. 104 of 2023 registered under sections 307, 341, 323, 504, 506/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner along with one another are said to have entered the house of the informant, of having abused the informant and his family members and as a result of firing resorted to, firearm injury was sustained by the informant on his body.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of old enmity between the families. The allegations are absolutely concocted and the manner of occurrence is other than



what has been described in the F.I.R. The petitioner is in no way involved in the present occurrence. Taking benefit of the occurrence, the petitioner has been made a scapegoat.

5. The application for anticipatory bail of the petitioner is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R, as per which the accused persons including this petitioner is said to have resorted to firing resulting in grievous firearm injury on the body of the informant, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned trial Court within a period of four weeks.

(Partha Sarthy, J)

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