

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58658 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- CHANDRADIP District- Jamui

Rahish Kumar @ Rahish Yadav Son Of Bisheshwar Yadav R/O Village-
Sahpur, P.S- Chandradeep, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 307 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against the petitioner only and the allegation against him is that he fired upon the informant, due to which injury took place in the right leg of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. Counsel also submits that there is a case and a counter case have been filed by the petitioner and the informant side against the petitioner and the petitioner has filed a case bearing Complaint Case No. 633C

of 2023 and due to this reason the informant filed the present case. He further submits that there is one criminal case pending against the petitioner, in which he is on bail.

5. Learned APP for the State opposes the prayer for bail and submits that the date of occurrence is of 10.05.2023 and the FIR was lodged on 12.05.2023. Counsel submits that the alleged counter-case was filed after two days of the occurrence.

6. In the present facts and circumstances, there is a direct allegation against the petitioner to fire upon the informant. In this view of the matter, I am not inclined to grant anticipatory bail to the petitioner and the prayer for anticipatory bail application stands rejected.

7. 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.

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

(Dr. Anshuman, J.)

Ashishsingh/-

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