

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60113 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- PUSA District- Samastipur

=====

Avinash Kumar Jha @ Abhinash Kuar Jha @ Avnish Kumar Jha Son of Dilip
Kumar Jha R/o vill - Harpur Bhuskaul, P.S. - Pusa, Distt. - Samastipur
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Pusa P.S. Case No. 60 of 2023 registered for the offences punishable under Sections 341, 323, 342, 504, 506, 307 of the Indian Penal Code and Section 27 of the Arms Act. He has got one criminal antecedent in which he is said to be on bail.

3. As per the prosecution story, the allegation against the petitioner is that this petitioner along with other co-accused persons assaulted the informant with fist and slap and they caught hold of the informant and took him in the orchard forcibly. It is also alleged that when the informant tried to escape, the petitioner fired upon the informant causing injury on his thigh.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted that there is specific allegation against the petitioner of firing upon the informant causing injury on his thigh.

6. Having regard to the specific allegation in the FIR that this petitioner had fired upon the informant and had caused injury on his thigh, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is, thus, refused.

8. In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

