

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60245 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- ISMAILPUR District- Bhagalpur

Babu Sahab Goswami @ Babu Saheb Son of Rambilash Goswami R/o vill -
Ismilepur, P.S. - Ismilepur, Distt. - Bhagalpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ismailpur P.S. Case No. 67 of 2023 registered for the offences punishable under Sections 147, 148, 149 and 307 of the Indian Penal Code and 27 of the Arms Act.

3. As per prosecution case, the informant was weighing maize at the house of one Pinku, during the course of weighing maize the petitioner and other accused persons came there and one Saurav Kumar stated that he had already been purchased maize from Pinku. Thereafter, two other persons came there and fired upon the informant which did not hit him.



It is further alleged that Saurav Kumar had also fired upon the informant which hit him in his waist and arm due to which, the informant sustained injuries.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Although the allegation of firing is also against the two unknown co-accused persons but the main allegation of firing and causing injury is on co-accused Saurav Kumar and Mithun Kumar. He further submits that petitioner is a labour who is earning by working on daily basis. There is no specific allegation against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with



Ismailpur P.S. Case No. 67 of 2023, subject to the conditions as
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Sunil Dutta Mishra, J)

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