

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62253 of 2023

Arising Out of PS. Case No.-153 Year-2019 Thana- CHANDI District- Bhojpur

Mishra @ Ritesh Kumar S/O Bijendra Singh R/O Village- Salempur, Ps.
Chandi, Dist. Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Chandi P.S. Case No. 153 of 2019 registered for the offences punishable under Section 341, 323, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act pending in the Court of learned C.J.M., Bhojpur at Ara.

3. According to prosecution case, the informant got secret information that occurrence of firing is happening in village Salempur, for verification of the said knowledge that on the shop of Jata Saw the incident of firing has took place. The police reached at the place of occurrence and found two holes in the shutter of the said shop and police recovered four empty cartridge, one front portion of the cartridge and one crushed cartridge from the place of occurrence.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather there is specific allegation against co-accused Munna who fired upon the shop of Jata Saw. It is further submits that the petitioner is associate of co-accused Munna. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail and submits that police recovered four empty cartridge, one front portion of the cartridge and one crushed cartridge from the place of occurrence.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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