

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72629 of 2022

Arising Out of PS. Case No.-554 Year-2021 Thana- DAUDNAGAR District- Aurangabad

RAUSHAN KUMAR SON OF MALINDAR SHARMA @ MANINDER
SHARMA R/O VILL.- ANGRAHI, P.S.- DAUDNAGAR, DISTT.-
AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 29-05-2023 Heard Mr. Ashok Kumar Singh, learned counsel for
the petitioner and Mr. Dashrath Mehta, learned Additional
Public Prosecutor appearing for the State.

Petitioner apprehends his arrest in connection with
Daudnagar P.S. Case No. 554 of 2021 dated 26.10.2021
registered for the offence punishable under Sections 120-B, 307,
34 of the Indian Penal Code and Section 27 of the Arms Act.

On 26.10.2021 at about 7:30 in the morning the
informant was working in the house and was informed that
someone has shot her husband Pintu Saw. The mother-in-law of
the informant told her that Raushan Kumar, i.e. petitioner, shot
him and fled away with another person on a Motorcycle.

Learned counsel for the petitioner submits that the



informant is not an eye witness. The victim was allegedly shot while he was sitting in his shop.

Referring to the statement of the injured victim recorded by the Police at Page-7 of the case diary, learned counsel submits that he has not supported the prosecution story and has stated that a person came on a Motorcycle wearing Helmet, demanded “*Gutka*”, and on refusal, he shot the victim which hit near his nose. Learned counsel also submits that the injured victim has not identified the petitioner. The petitioner has got no criminal antecedent.

Regards being had to the submission made by the parties and taking into consideration the statement of the victim recorded during course of investigation, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, in connection with Daudnagar P.S. Case No. 554 of 2021 subject to the condition as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

S.Ali/-

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

