

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6412 of 2024

Arising Out of PS. Case No.-426 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

AMAN PANDEY S/O- SURENDRA PANDEY R/O- VILLAGE-
KARAHGAR, P.S.- KARAHGAR, DIST.- ROHTAS.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Bhabua P.S. Case No. 426 of 2023 registered for the offences punishable under Sections 324, 307 and 448 of the Indian Penal Code and Section 27 of the Arms Act.

3. The petitioner along with other co-accused is said to have entered into the house of the informant and on provocation by co-accused, this petitioner fired upon him which hit his right chest and right stomach of the body.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



As a matter of fact, the petitioner works as helper on the grains shop of the informant and lodged Bhabua P.S. Case No.274 of 2023 against the informant and his aides and in retaliation thereto, the present case has been lodged against the petitioner and others. Petitioner has one criminal antecedent, which has been lodged by the brother of the informant, as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the allegation and the injury, the petitioner does not deserve anticipatory bail.

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. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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