

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26299 of 2024

Arising Out of PS. Case No.-29 Year-2023 Thana- SALIMPUR District- Patna

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Dashrath Singh @ Dashrath Prasad Son Of Ganauri Prasad Resident Of
Village - Ahiyatpur, Post - Bhojpur, P.S. - Nagarnausha, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Surendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 02-08-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Shalimpur P.S Case No. 29 of 2023 instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307 of the Indian Penal Code along with 27 Arms Act.

3. As per prosecution case, the informant was bringing her child from school on a motorcycle at about 11 O'clock in the day. When he reached the village at Saidpur Tola in Gaal At about 11 O'clock in the day the driver of a



Boloro pushed her motorcycle, the motorcycle fell and she and her daughter also fell down because of the previous dispute, all the accused came out of Boloro and tried to kill the informant. All the accused got out of the Boloro Car and started firing continuously, out of which one bullet hit the left side of the head and I was bleeding, to save my life, I entered a house and all the accused left sitting in the Boloro Car.

4. Learned counsel for the petitioner submits that petitioner is falsely been implicated in this case and he is a man of clean antecedent.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order and case diary, it appears that first petitioner made collision to the informant's bike with their bolero in which the informant and her daughter were sitting. Then they started firing on broad daylight with one gunshot hitting on left portion of head of informant and three gunshot hitting his left leg. Informant daughter in Para 07 of case diary has supported the case. There is direct allegation levelled



against the petitioner.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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