

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23164 of 2024

Arising Out of PS. Case No.-633 Year-2023 Thana- BIDUPUR District- Vaishali

Prince Kumar son of Shesh Nath Singh @ Jhallu Singh R/O Vill PO -Mathura
PS - Bidupur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-07-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Bidupur P.S. Case No. 633 of 2023, dated 26.10.2023 registered for
the offences punishable under Sections 341, 323, 324, 504 and
506/34 of the Indian Penal Code as well as Section 27 of the Arms
Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges that
on account of dispute relating to land, Shesh Nath Singh assaulted
him by sword causing cut injury on hand and thereafter petitioner
fired but missed.

4. Learned counsel for the petitioner submits that though
the case has been instituted under the Arms Act but then in the nature
of allegation the punishment prescribed under Section 27 of the Arms
Act is three years to seven years.



5. At this stage, learned A.P.P. submits that rest of the sections of the Indian Penal Code also carry punishment of less than seven years as such the case be disposed of in terms of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar).

6. Learned counsel for the petitioner submits that the investigation in the case against the petitioner is still going on and the petitioner has not been given the privilege of Section 41(a) Cr.P.C.

7. In view of the submissions made by the learned A.P.P., this anticipatory bail application is disposed of in terms of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024.

8. The petitioner would be at liberty to file a representation before the concerned Superintendent of Police and the Investigating Officer of the case within a period of three weeks from today with a web copy of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the direction contained in the said order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024.

(Satyavrat Verma, J)

Kundan/-

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

