

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27358 of 2024

Arising Out of PS. Case No.-606 Year-2023 Thana- SABAUR District- Bhagalpur

Prince Kumar @ Sujit Kumar Son of Kedar Mandal @ Kedar Mahaldar
Village Lailakh, PO Mamalkha, PS Sabour, District Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Krishna, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-05-2024 Heard Ld. counsel for the petitioner and

Ld. APP for the State.

2. The petitioner apprehends his arrest in connection with Sabour P.S. Case No. 606 of 2023 dated 08.11.2023, registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, there is direct allegation of firing upon the informant against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the present case has been filed by the complainant on account of failure of the accused persons to pay out of the profit of *jalkar* to the complainant. He further submits that petitioner has clean antecedent.



5. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon’ble Court for grant of Anticipatory Bail or Regular Bail.

6. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that as per the material on record, the *prima facie* case is made out against the petitioner under Section 307 of the Indian Penal Code and Arms Act because allegedly he has shot at the informant causing gunshot injury, as per the injury report as well as possessing of illegal pistol.

7. Considering the aforesaid facts and circumstances of the case, this Court is not persuaded to enlarge the petitioner on anticipatory bail.

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

(Jitendra Kumar, J.)

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