

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43279 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- UDAKISHUNGANJ District- Madhepura

Akhlesh Sharma @ Akhilesh Sharma S/o Sudhir Sharma R/o Village-
Kabaiya, Ward No., 10, P.S.- Udakishunganj, Distt-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-10-2024 Heard Mr. Nafisuzzoha, learned counsel for the

petitioner and Mr. Ashok Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Udakishunganj P.S. Case No. 78 of 2024, F.I.R. dated 09.03.2024 for the offences punishable under Section 27 of the Arms Act.

3. According to prosecution case, this petitioner was carrying a pistol in his pocket and at the time of dancing, the informant's son, namely, Vidya Kumar sustained gunshot injury as the bullet fired from the petitioner's firearm.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per the



allegation in the F.I.R., the petitioner has fired upon the victim where he also received injury. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. Learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the injury report of the victim, namely, Vidya Kumar, is is clear that a “Metallic foreign body (bullet) was extracted from lateral aspect of middle left thigh” which means he has received bullet injury. Apart from that the victim was supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Udakishunganj P.S. Case No. 78 of 2024 pending in the court of Additional Chief Judicial Magistrate , Udakishunganj at Madhepura.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Vanisha/-

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

