

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77198 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- PARASI District- Jehanabad

Ajay Kumar @ Ajay Sharma S/o- Late Ramesh Sharma village- Sakari Khurd
PS-Parasi District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-11-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Parasi PS case no. 62 of 2024, disclosing offences punishable under Section 126 and other allied sections of B.N.S. Act and Section 27 of Arms Act.
3. The prosecution story, as per the First Information Report, is that on 12.07.2024, when the informant was returning from marriage ceremony, on the way, petitioner and informant's brother were standing. Informant's brother told the informant to flee away, as the petitioner was loading the pistol for the purposes of shooting him. The petitioner fired three rounds of bullets upon the informant with an intention to kill and the informant also fired three rounds in self defense from his



licensee revolver.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case due to previous enmity. Learned counsel further submits that the bullet, allegedly fired by the petitioner, did not hit the informant and the informant has also made firing from his gun. The empty cartridges were handed over to the Police by one Shailly Devi and the police party did not seize any waste cartridges from the place of occurrence. He next submits that the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the petitioner is of the year 1995 and in both the cases, petitioner has been acquitted by the trial court.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both parties resorted to firing, the empty cartridges have not been recovered by the Police but the same has been handed over to police party by a third person and the petitioner has already been acquitted in previous cases, as stated in paragraph no. 3 of the bail application, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his



arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st class, Arwal in connection with Parasi PS case no. 62 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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