

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61856 of 2024

Arising Out of PS. Case No.-490 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Avnish Jha @ Avinash Jha S/O Late Vaidhnath Jha R/O Ward No. 18, neem
gali, P.S- Dalsingh Sarai, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur Mrs. Vaishnavi Singh Mr. Ritwik Thakur
For the Opposite Party/s :		Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 147, 148, 149, 448, 341, 323, 307, 302, 379 and 354 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against petitioner is of indiscriminate firing causing death of son of informant whereas another son of informant sustained injury. It is further alleged that the accused persons with a view to create terror opened 4-5 round firing thereafter, accused persons entered in the house of informant assaulted with female members and looted ornaments and cash Rs.50,000/-.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. As a matter of fact, no such occurrence, as alleged in the F.I.R., ever took place. Due to land dispute between the parties, this false case has been lodged. In fact, the son of informant sustained injury in some other incident and taking advantage of the same, after due deliberation, this F.I.R. has been lodged.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. with specific accusation that he alongwith other co-accused persons indiscriminately fired upon son of the informant causing his death.

6. Considering the same, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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