

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1534 of 2015

Arising Out of PS.Case No. -95 Year- 2013 Thana -GUTHNI District- SIWAN

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Ranjeet Choudhary @ Ramjeet Chaudhary S/o Late Khublal Chaudhary r/o
Village - Chilhamarwa, P.S. Guthani, District - Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 20-01-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that he constructed a thatched house over a Gairmazarua land, Plot No. 688 and Khata No. 787, but the petitioner along with other accused persons came to uproot the thatched hut of the informant and others. It is further alleged that Santosh Tiwari and Ramjeet Chaudhary fired which hit on the knee of the informant.

Learned counsel for the petitioner submits that there is a counter-version, being Guthani P.S. Case No. 95/2013, registered under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act, in which two persons,

namely, Suresh Prasad and Mukesh Singh were killed. There is a land dispute between the parties. Two persons, namely, Santosh Tiwari and Ramjeet Chaudhary (the petitioner) are alleged to have fired on the informant. The informant got firearm injury on his left knee but the injury is opined to be simple. Another injury is pain on wrist.

Of course, there is case and counter-case, but there is a very specific allegation against the petitioner and Santosh Tiwari that they fired. The injury is, of course, simple, but I am not inclined to enlarge the petitioner on anticipatory bail in Guthani P.S. Case No. 95/2013, pending in the court of the learned Chief Judicial Magistrate, Siwan.

Accordingly, the application for anticipatory bail is rejected.

The petitioner, if so advised, may surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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