

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 41007 of 2015

Arising Out of PS.Case No. -209 Year- 2015 Thana –DIHRI(DALMIANAGAR) District-
SASARAM (ROHTAS)

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Gopal Pandey, son of Mahendra Pandey, resident of Village- Bhaluahi,
Police Station- Baghaila, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 01-02-2016 Heard learned counsel for the petitioner, Sri Raj
Kishore Singh, learned Addl. Public Prosecutor as well as learned
counsel for the informant.

The petitioner, apprehending his arrest in Dihri
(Dalmianagar) P.S. Case no. 209 of 2015 registered for the offence
under Sections 326/307/34 of the Indian Penal Code and section
27 of the Arms Act, 1959, has prayed for grant of anticipatory
bail.

Learned counsel for the petitioner, by way of referring
to F.I.R. as well as Annexure – 2 i.e. injury report of the victim,
submits that the injury report contradicts the prosecution story. He
submits that the occurrence had taken place while the victim was
on second floor and firing was made from ground floor, whereas,

during examination, the doctor found injury of tattooing and burning. According to learned counsel for the petitioner, such injury is only caused by fire-arm, which is used from close range, not from such a long distance. He further submits that the F.I.R. itself discloses that petitioner has not opened fire. On the aforesaid ground, he has prayed for grant of anticipatory bail.

I have perused the material on record. In the F.I.R. itself, the petitioner was named as one of the accused.

In view of nature of accusation, I do not find any ground to extend the privilege of anticipatory bail.

The petitioner stands dismissed.

(Rakesh Kumar, J.)

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