

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35242 of 2017

Arising Out of PS.Case No. -331 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

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1. Raju Singh @ Raju Kumar Singh @ Kumar Anand, Son of Pramod Singh, R/o Sarthuan, P.S.- Udwant Nagar and District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bikramdeo Singh-Advocate
Mr. Prajesh Kumar-Advocate
Mr. Ajit Kumar-Advocate
Mr. Dinkar Kumar-Advocate

For the Opposite Party/s : Mr. Sri Panchanand Pandit-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 19-08-2017 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

Petitioner is the assailant of the victim by means of

firearm on an order of Pramod Singh.

Contention on behalf of petitioner is that on account

of monetary dispute prevailing amongst the parties, petitioner has

been implicated. It has also been submitted that location of the

injury having found by the doctor of Sadar Hospital, Bhojpur at

Ara nullify the allegation having made by the informant. It has

also been submitted that victim was taken to P.M.C.H. where

during course of treatment, no firearm injury has been found. It

has also been submitted that P.M.C.H. had released two injuries



report having different dimension. So, submitted that in the background of the totality of the event, it happens to be a good case wherein petitioner should be released on bail.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

Informant is the father of the victim. He had not stated that he was accompanying the victim and so, it is the victim, whose statement has got primacy. As per Para-53 as well as 64 of the case diary, it is evident that victim had vividly picturized the occurrence which support the finding recorded by the doctor at Sadar Hospital, Ara. So far injury report issued by P.M.C.H. is concerned, that has been issued after so many days of the occurrence and further, from the injury report, it is evident that laceration right lobe of liver as well as two perforations at the anterior wall of stomach size 4 cm x 3 cm and 10 cm x 5 cm were found and those things are subject to cross-examination during course of trial whether it could be, on account of firearm injuries sustained at the end of the victim.

Accordingly, prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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