

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45243 of 2016

Arising Out of PS.Case No. -139 Year- 2016 Thana -RAJPUR District- BUXAR

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Anuj Rai @ Tinsuki Rai, Son of Ratandeo Rai, Resident of Village- Dehri
P.S.- Rajpur District- Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bajarangi Lal, Advocate
Mr. Ashish Kumar Ghosh, Advocate
For the Opposite Party : Mr. Ajit Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Rajpur P.S.
Case No. 139 of 2016 instituted for the offence under Sections
341, 323, 307, 504 of the Indian Penal Code and 27 of Arms Act.

The allegation against this petitioner is that he
caused fire arm injury to the informant by Katta. The informant
was brought to Singh Medical Hospital, Varanasi. The police have
mentioned in para-16 of the case diary that he went to Singh
Medical Hospital, Varanasi, where he recorded re-statement of the
informant, who stated the similar facts, what he has stated in his
earlier fardbeyan. The statement of other witnesses have been
recorded in para-55, 56 of the case diary, wherein they have stated



that they have heard sound of firing but they could not see, who fired but both the witnesses have stated in para-55 and 56 that the informant sustained fire arm injury. The police has mentioned about the injury report in para-78 of the case diary and the Xerox copy of injury report is also available in case diary, wherein doctor has found after x-ray of the abdomen one bullet in Pelvis and he opined that fire arm injury had been caused to the informant. There is serious and specific allegation against the petitioner of causing fire arm injury. Therefore, I do not find it fit case for grant of anticipatory bail. Accordingly, this anticipatory bail petition is hereby dismissed in Rajpur P.S. Case No. 139 of 2016, pending in the court of learned Chief Judicial Magistrate, Buxar.

The petitioner is directed to surrender before the court below within four weeks from today and seek regular bail which shall be considered and disposed of on merit without being prejudiced by this order.

(Sanjay Priya, J.)

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