

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3728 of 2017

Arising Out of PS.Case No. -55 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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Sanjeev Anand, Son of Sri Yugal Kishore Singh, Resident of Village-Amba
Khurd, P.S. - Majorganj, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Ashish Giri, Advocate
Mr. Pranav Kumar, Advocate

For the Opposite Party : Mr. Ajay Kumar Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the
offence under Sections 147, 148, 149, 341, 302, 307, 323 and 504
of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the fardbeyan that this petitioner fired
from his licensee rifle on the chest of Vinay Anand and one Yugal
Kishore Singh fired from his illegal firearm on Vijay Anand, as a
result of which Vijay Anand sustained firearm injury on his leg.
Both the injured fell down. The informant and other villagers
brought them to the hospital where doctor declared Vinay Anand
to be dead and Vijay Anand was admitted in the private clinic for
his treatment.

The Counsel for the petitioner has submitted that



from perusal of para-45 of the case diary, it will appear that father of the informant has stated about a different place of occurrence.

The counsel for the informant has submitted that both the parties are agnates and the houses of both are adjacent to each other.

Learned APP has submitted that in para-45 of the case diary, there is specific allegation against this petitioner of causing firearm injury on the chest of Vinay Anand, on account of which he died. In the postmortem report the doctor has found the cause of death due to firearm injury. Learned District & Sessions Judge-II, Sitamarhi has mentioned in impugned order that cartridges have also been recovered from house of this petitioner.

In such circumstances, there is direct allegation against this petitioner of causing firearm injury. Therefore, this court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is hereby rejected.

(Sanjay Priya, J.)

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