

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.837 of 2017

Arising Out of PS.Case No. -26 Year- 2016 Thana -LADIYA TAND District- MUNGER

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1. Lalan Ray @ Lalan Kumar Ray S/o Balbir Ray Resident of Ghatwari,
P.S.- Laraitaar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Mohammad Shabbir Alam

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 08-02-2017 Counter affidavit has been filed on behalf of the

informant. Let it be kept on the record.

Heard the learned counsel for the petitioner, the
learned A.P.P. for the State as also the learned counsel for the
Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Laraitaar P.S. Case No.
26 of 2016 for the offences punishable under sections 147, 148,
149, 341, 323, 324, 307 and 426 of the I.P.C and section 27 of the
Arms Act.

The allegation against the petitioner is that being
armed with pistol he was sitting on the chest of son of the
informant and others were assaulting him with iron-rod and lathi
causing injury to Anshu Kumar, the son of the informant.



Submission is of false implication and that no fire arm injury has been found on the persons of the injured, the injuries found are simple caused by hard and blunt substance, the petitioner has been implicated falsely as the petitioner has lodged Laraitaar P.S. Case No. 17 of 2016 against Rishideo Rai, the brother of the informant Indradeo Rai, during investigation the witnesses have stated that the petitioner was standing near the place of occurrence, vide paragraph-12 of the case diary, the petitioner has got no criminal antecedent and as such he deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that the photos of the injured goes to suggest that how brutally he was injured and the petitioner was instrumental in opening fire and also terrorized the injured

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of Sri S.L. Rajak, J.M. 1st Class, Munger.

(Jitendra Mohan Sharma, J)

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