

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1597 of 2017

Arising Out of PS.Case No. -274 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Rajendra Singh, son of late Mangal Singh,
 2. Bittu Singh @ Bikash Singh, son of Rajendra Singh, both are resident of village- Mangalpur Gudariya, Police Station- Nautan, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 18-01-2017

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The Petitioners apprehend their arrest in Nautan P.S. Case No.274 of 2016 instituted for the offence under Section(s) 341, 324, 326, 307/34 Indian Penal Code.

It is alleged in the written report that on the date of occurrence both the petitioners came on motorcycle and petitioner No.1 fired from rifle causing injury on the right waist of the Informant. Thereafter, petitioner No.1 told petitioner No.2 to run fast and both the persons fled away from the motorcycle.

The Injury Report is annexed as Annexure-2, wherein, the doctor has found fire arm injury but the doctor has



described the injury simple in nature. The doctor has also mentioned in the report that a bullet has been removed and handed over to the sister in-charge.

It is really surprising that although a bullet has been removed, but the doctor has found the injury simple in nature.

Since fire arm injury has been found on the person of the Informant and bullet has been removed from his body, this Court is not inclined to grant anticipatory bail to the petitioner No.1-Rajendra Singh.

His prayer for anticipatory bail is rejected. He is directed to surrender before the Court below and seek regular bail which shall be considered and disposed off on its own merit.

So far as the petitioner No.2- Bittu Singh @ Bikash Singh is concerned, there is no overt act alleged against him.

In view of such, in the event of arrest/surrender of the Petitioner No.2 within six weeks from today in connection with Nautan P.S. Case No.274 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, 6th, Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) Cr. P. C.



Let a copy of this order be sent to the Civil Surgeon, Bettiah, for taking appropriate action against the doctor concerned for submitting such a report. He shall inform this Court about the action taken by him against the doctor concerned.

(Sanjay Priya, J)

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