

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.555 of 2017

Arising Out of PS.Case No. -65 Year- 2016 Thana -TARABARI District- ARRARIA

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Md. Mansoor Master @ Md. Mansoor Alam

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh

For the Opposite Party/s : Mr. Dr. Indivar Kumari

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

- 2 18-01-2017 **1.** Heard the learned counsel, Ms. Asha Verma, on behalf of the petitioner and the learned A.P.P. and also the learned counsel for the informant.
- 2.** This anticipatory bail application has been filed by the petitioner who apprehends arrest in Tarabari P.S. Case No.65 of 2016 under Sections 341, 323, 326, 307, 504 / 34 IPC and Section 27 of the Arms Act.
- 3.** It appears that the prayer for anticipatory bail of this petitioner was already rejected on two accounts. Firstly, that during the hearing of the anticipatory application, injury report was produced by the informant showing that there was one wound of entry and other is wound of exit. Both the injuries were found to be caused by Gun shot. From perusal of the FIR also, it appears that there is allegation that because of firing by pistol as a result of which the bullet entered



from the side of back of the informant and is exit from the side of waist.

4. The main grievance of the petitioner is that the original injury report by the same doctor is Annexure '3' which is dated 27.07.2016 and the occurrence took place on 25.07.2016 at 7.30 A.M. and the subsequent injury report is 22.09.2016 which is doubtful.

5. On the other hand the learned A.P.P. objected and submitted that the supplementary injury report which has been annexed as Annexure '4' is also granted by the same Doctor.

6. From perusal of the FIR and this injury report ext.'4', it prima facie appears that this injury report supports the allegation made in the FIR. Whether the injury report, Annexure '3' is reliable or Annexure '4' is reliable, that is a question of trial. However, in no case it can be said that a case for anticipatory bail is made out on this ground. Moreover on this ground, the prayer for anticipatory bail has already been rejected.

7. Thus, I find no fresh ground for grant of anticipatory bail and accordingly, this Cr. Misc. application is dismissed.

(Mungeshwar Sahoo, J)

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