

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5252 of 2018

Arising Out of PS.Case No. -231 Year- 2017 Thana -RUNISAIDPUR District- SITAMARHI

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Pragas Rai @ Prakash Rai, S/o Uma Shankar Rai, Resident of village-
Bilandpur, P.S.- Runni Saidpur, District-Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 05-02-2018

Heard both sides.

The petitioner apprehends his arrest in Runni Saidpur
P.S. Case No.231 of 2017 registered under Section 307 and other
Sections of Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that the petitioner and others
came having armed with different weapons including firearms.
Shiv Shankar Rai fired at the informant which hit on his private
parts. The petitioner is alleged to have fired which hit on the leg of
Dinesh Rai, the father of the informant.

The learned counsel for the petitioner submits that
from perusal of the seizure list, it would appear that only one live
cartridge was recovered from the place of occurrence. One firearm
injury was found on the leg of Dinesh Rai but the injury is simple
in nature. There is a series of litigations and the possibility that,



Dinesh Rai might have manufactured the injury, cannot be ruled out.

On the other hand, learned A.P.P. as well as learned counsel for the informant opposed the prayer for anticipatory bail.

There is specific allegation that the petitioner also fired which hit on the leg of Dinesh Rai, father of the informant when he came to save his own son, Mukesh Rai and there is corresponding firearm injury on leg.

Therefore, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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