

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38792 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -BADHAILA District- SASARAM (ROHTAS)

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1. Chhotu Kumar Singh @ Chootu Kumar S/o Late Suresh Singh, R/o Vill.-
Pachhhar, P.S.- Baghaila, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-07-2018 The petitioner is apprehending his arrest in connection with Baghaila P.S. Case No. 19/2018, registered for offences punishable under Sections 307 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner is of firing on the brother of informant causing injury to him.

It has been submitted on behalf of the petitioner that the whole prosecution case is false and concocted, which will be evident from the fact that in this case F.I.R has been lodged after delay of three days and the same was transmitted to the Chief Judicial Magistrate after four days and though there is availability of good hospital in the area but the injured was taken to Banaras for treatment.



Learned APP as well as learned counsel for the informant opposed the prayer for bail and draw the attention of this Court towards the impugned order, in which, it has been mentioned that para 15 of the case diary contains the statement of injured Anil Kumar Soni and he has supported the allegation of firing by the petitioner and it also appears that the injured was taken to Banaras for treatment and the receipt of Trauma Centre B.H.U, Banaras also supports the allegation.

Having heard both sides, considering the facts and circumstances of the case and the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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