

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19914 of 2018

Arising Out of PS.Case No. -117 Year- 2017 Thana -MANPUR District- NALANDA
(BIHARSHARIFF)

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Raj Karan Chauhan S/o Hriday Narayan Chauhan, resident of village -
Bisunpur Beldari, P.S. - Manpur, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 07-05-2018 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P. for the State.

Petitioner apprehends arrest in connection with Manpur
P.S. Case No.117 of 2017 registered for the offences under
Sections 307, 341, 325, 448, 147, 148, 149 of the Indian Penal
Code.

The allegation as per written report submitted to S.H.O.
of Manpur police station is that on 03.09.2017 this petitioner
along with other co-accused entered into the house of the
informant with intention to kill him and to commit dacoity. In
course of said crime, this petitioner allegedly shot fire causing
injuries on the stomach of the informant.

It has been submitted that the informant and accused



persons are residents of same place and the present case has been lodged as counter blast to the earlier case lodged by the wife of one of the co-accused, namely, Sachidanand Chauhan vide Manpur P. S. Case No.114 of 2017. Besides the aforesaid case, one more case bearing Manpur P.S. Case No.113 of 2017 has been lodged against the petitioner by different person with different allegation. The petitioner was not present at the place of occurrence rather he was admitted at Sadar Hospital, Nalanda. There is also delay of three days which also creates doubt on the prosecution version and so the petitioner deserves anticipatory bail.

The learned counsel for the informant as well as the learned A.P.P. opposed the submissions.

On perusal of F.I.R., it appears that there is a specific allegation that this petitioner caused firearm injury on the stomach of the informant. The informant was moved Sadar Hospital, Nalanda from where he was referred to Emergency Department, P.M.C.H. where he was admitted. The In-charge Medical Officer has also reported about injury measuring 5 cm on right side of back with a lacerated wound on apex of swelling of side diameter of 1 cm. X1 Ray Abdomen AP view revealed an opaque metallic substance seen lateral to L2/L3 vertebral spine.



The petitioner is involved in two more cases of similar nature vide Manpur P.S. Case No.113 of 2017 for the offences under Sections 307 and other sections of I.P.C. and 27 of the Arms Act and Manpur P. S. Case No.134 of 2017 under Section 307 and other sections of I.P.C. and 27 of the Arms Act.

Considering the allegation of causing firearm injuries as well as the antecedent, his prayer for anticipatory bail is rejected.

(Sanjay Kumar, J)

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