

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29637 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- SHIVSAGAR District- Rohtas

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UMA SHANKAR SINGH Son of Late Shyam Narayan Singh Resident of
Village - Morkap, P.S.- Baddy O.P., District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Adv Mr. Dudh Nath Singh, Adv
For the Informant	:	Mr. Binod Kumar Singh, Adv Mr. Sanjay Kumar Singh, Adv
For the State	:	Mr.J.K.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 307,504,506/34 IPC registered in connection with Sheosagar P.S. Case No. 37 of 2019.

3. It is submitted that the petitioner has been falsely implicated and in any event the accusation of firing is general and omnibus against the petitioner and three unknown persons who are said to have come to the *darwaaza* of the informant. There is delay of four days in institution of the FIR on 07.02.2019 for the alleged occurrence of 03.02.2019. It appears rather strange that the family members of the petitioner did not accompany him for his treatment at Varanasi which, casts doubt upon the prosecution story. The petitioner is accused in two prior cases, in both of which he has been acquitted.

4. Learned APP assisted by learned counsel for the



informant appearing *suo motu* opposes the anticipatory bail petition inviting reference to the order of the learned Sessions Judge noticing from the record and case diary that firearm grievous injury on the left side of the chest of the informant has been caused. Learned counsel for the informant further states that the informant has undergone treatment at Trauma Centre, Banaras Hindu University, Varanasi and was discharged on 06.02.2019 after which the present FIR was lodged. The case summary and discharge report of the Trauma Centre fairly discloses firearm injury in the anterior chest wall, which supports the accusation against the petitioner.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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