

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50420 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- GAYA MUFASIL District- Gaya

1. RITESH KUMAR @ GOLU @ ATLAS @ GOLU KUMAR, aged about 19 years (M), Son of Santan Singh, Resident of Village - Sidharthpuri Colony, Road No.1, P.S.- Muffasil, Dist.- Gaya.
2. Prakash Kumar, aged about 22 years (M), Son of Devendra Kumar @ Devendra Kumar Singh, Resident of Village-Rananagar, P.S.- Muffasil, Dist.- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Mufassil P.S. Case No. 94 of 2019, registered for the offence under Section 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

It has been alleged that there was a tension in two groups, the accused persons have surrounded the brother of the informant and started hurling abuses. When objection was raised, they took out the pistol and fired upon the brother of the informant, one bullet caused injury on his head. As per the order



of the Court below, treatment of this victim is being done at Paras Hospital, Patna.

Learned counsel for the petitioners submits that there is no injury report, inasmuch as, the F.I.R. has been lodged after a delay of two days.

Learned counsel for the petitioners further submits that the allegation made against the petitioners is omnibus, but the fact is otherwise.

Looking to the nature of allegation that the petitioners have caused fire arm injury to the victim and looking to the seriousness of the injury he was referred to the Patna, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail is rejected. However, if the petitioners surrender before the Court below within three weeks from today and pray for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

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