

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79872 of 2018

Arising Out of PS. Case No.-135 Year-2018 Thana- PAKRIDAYAL District- East Champaran

Ram Ji Sah, son of Banarsi Sah, resident of village-Sundarpatti, Police
Station-Pakaridayal, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-01-2019 The petitioner seeks bail in anticipation of his

arrest in connection with pakaridayal P.S. Case No. 135 of

2018, dated 19.07.2018, instituted for the offences under

Sections 147, 148, 149, 341, 323, 324 and 307 of the

Indian Penal Code and Section 27 of the Arms Act.

With respect to a counter claim over a plot of land,

an occurrence took place in which the petitioner, his father

and his brothers came to the house of the informant and

assaulted him. Later, it has been alleged that the petitioner

fired from his weapon which hit the father of the informant

in his stomach.

The learned counsel for the petitioner has however



drawn the attention of this Court to the injury report which describes the injury on the father of the informant to be simple in nature but caused by a rapidly moving missile.

Regard being had to the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail of the petitioner is, accordingly, rejected.

However, should the petitioner surrender before the Court below within a period of four weeks and seek regular bail, the Court below shall look into all aspects of the matter which will include rival claims over a plot of land and simple injury suffered by the father of the informant on a non-vital portion of his body and shall, thereafter, pass orders in accordance with law on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

Praveen-II/-

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