

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.132 of 2019**

Arising Out of PS. Case No.-165 Year-2017 Thana- GARKHA District- Saran

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Brajesh Singh, son of Jawahar Singh, Resident of Village-Bhaismara, P.S-  
Garkha, District-Saran at Chapra

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

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**Appearance :**

For the Appellant/s : Mr.Dewendra Narayan Singh, Advocate  
For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL JUDGMENT**

**Date : 12-04-2019**

I.A. No. 1 of 2019 has been filed for condoning the delay of 12 days in filing this appeal.

Having heard both sides and in view of averments made in the petition, I.A. No. 1 of 2019 is allowed and the delay in filing this appeal is condoned.

This appeal is for grant of pre-arrest bail to the appellant against the order dated 29.8.2018 passed by Additional Sessions Judge-I, Saran at Chapra, in A.B.P. No. 2401 of 2018 filed by the appellant, by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Garkha P.S.Case No. 165 of 2017, registered under Sections 147, 148, 149, 341, 323, 354, 307, 504 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(p) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is of firing on Monika Kumari and causing injury and there is also allegation of assault by butt portion of gun to others, causing injuries.



Submission of learned counsel for the appellant is that there is land dispute between the parties and injuries are simple in nature.

Heard learned Special P.P.

Having heard both sides and in view of specific allegation of firing against the appellant and there are injuries also, I am not inclined to grant the privilege of anticipatory bail to the appellant, rather appellant to surrender and make prayer for regular bail, which shall be considered on the basis of materials available on record, without being prejudiced by this order.

With the above observation, this appeal is dismissed.

**(Vinod Kumar Sinha, J)**

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