

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59362 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- ADHAOURA District- Kaimur (Bhabua)

JAILAL SINGH Son of Narayan Singh Resident of Village - Londa, P.S.-
Adhoura, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan
For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-09-2019 Heard both sides.

The petitioner apprehends his arrest in Adhoura P.S.
Case No.18 of 2019 registered under Sections 324, 307, 504 and
34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that his brother, Jailal Singh
and his wife, Sumari Devi assaulted his wife, Kalawati Devi on
petty dispute with regard to plate. When the informant came in
the night, his wife, Kalawati narrated the entire story. The
informant went to the house of Jailal Singh but Jailal Singh and
Sumari Devi were not present in their house. They had gone to
the house of his eldest brother, Bhuneshwar Singh where Sumari
Devi came across with the informant. Sumari Devi began to
abuse the informant. It is further alleged that on the order of
Sumari Devi, his brother went up on roof and made
indiscriminate firing causing injury below his right knee.

The learned counsel for the petitioner submits that
petitioner is own brother of the informant. It was petitioner who
was aggressor and he chased his brother to the house of his
eldest brother, Bhuneshwar Singh. The informant of course got
one penetrating injury below right knee but the injury is opined



to be simple in nature but it appears from perusal of the F.I.R. as well as injury report that the informant went to the house of the petitioner to inquire the reason why his wife was assaulted but the petitioner and his wife were not found present in their house. Thereafter, the informant went to the house of his eldest brother where the wife of the petitioner began to abuse and petitioner went on the roof and opened firing. The informant got one penetrating injury below right knee. The patient was referred to State Hospital, Bhabua for proper treatment but since the report was not received in P.H.C., where the informant was firstly treated, the doctor opined the injury to be simple in nature but the fact remains that it was petitioner who fired causing injury below right knee.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

