

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.352 of 2019

Arising Out of PS. Case No.-273 Year-2018 Thana- HILSA District- Nalanda

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1. Santosh Prasad @ Jhham Lal s/o Raj Kishore Prasad at the resident of village Vishkurwa, Police station - Hilsa, Distt.- Nalanda.
 2. Ramkripal Yadav S/o Yadunandan Yadav at the resident of village- Vishkurwa, Police station Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ranjit Ranjan

For the Opposite Party/s : Mr.Sri Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-01-2019 The petitioners seek bail in anticipation of their arrest in connection with Hilsa P.S. Case No. 273 of 2018 dated 25.05.2018 instituted for the offences under Sections 147, 148, 149, 307, 452, 379 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioners has submitted that petitioner No. 2/Ramkripal Yadav has been arrested.

With the arrest of petitioner No. 2/Ramkripal Yadav, the application with regard to him has become



infructuous.

The petitioner No. 1 is alleged to have fired leading to pellet injury on the person of the wife of the informant.

A copy of the injury report which was produced by the learned counsel for the petitioner for inspection of this Court reveals that though the injuries on the person of the wife of the informant are stated to have been caused by sharp and pointed object which could be pellet also but the nature of injury has been opined to be simple.

However, since petitioner No. 1 is alleged to have opened fire, I am not inclined to grant anticipatory bail to petitioner No. 1.

The prayer for anticipatory bail of petitioner No. 1 stands rejected.

However, if the petitioner No. 1 surrenders before the Court below and pray for regular bail, the Court below shall take into account the totality of the circumstances and the fact that the injuries suffered by the injured are only simple in nature and shall pass orders in accordance with law without being prejudiced by the fact that the present petition



for anticipatory bail has not been entertained.

The petition is dismissed with the aforesaid
observation.

(Ashutosh Kumar, J)

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