

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6311 of 2020**

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Ramanjee Kumar @ Ramanjee Kunwar, son of Gunanand Kumar @
Gunanand Kunwar, Village-Maharajpur, P.S.-Khajauli, District-Madhubani.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Adv.
For the Opposite Party/s	:	Mr.Murlidhar, APP
For the Informant	:	Mr. Virendra Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 24-07-2020 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

Petitioner in the present case is seeking pre-arrest bail
in connection with Khajauli P.S. Case No.186 of 2019 registered
for the offences under Sections 326 and 307/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that it is a
case of false implication of the petitioner by falsely stating that
the informant had earlier deposed as a witness against the
petitioner, therefore in retaliation firing was done. Earlier when
learned counsel for the informant appeared a statement was
made that the petitioner has concealed in paragraph '3' that he
was earlier convicted and about further two cases in which he



happened to be an accused. After exchange of affidavits pursuant to the order passed by this Court now it appears that the submission of learned counsel for the informant that the petitioner has been convicted in a case earlier has not been substantiated by producing any record. The petitioner has denied the same. As regards two other cases the informant has brought on record copy of the FIR of Khajauli P.S. Case No.131/2000 dated 26.10.2000 in which the petitioner is named in the FIR.

Learned counsel for the petitioner admits at this stage that in this case the petitioner has been summoned to face the trial under Section 319 Cr.P.C. In yet another case being Khajauli P.S. Case No.126 of 2000 the petitioner was an accused, but the submission of learned counsel for the petitioner is that the police had submitted a final form and the same was accepted by the court below hence, the same cannot be treated as criminal antecedent.

Learned A.P.P. for the State as well as learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner. It is submitted that in the present case there is an allegation that the petitioner had fired and shot fired by the petitioner has caused grievous injury on the hand of the informant. Attention of this Court has been drawn towards the



impugned order passed by the leaned Additional Sessions Judge-IIIrd Court, Madhubani in which it has come as a matter of submission that the injury is grievous in nature.

Having regard to the facts and circumstances of the case wherein it appears that the petitioner has got criminal antecedent and there is allegation against him of firing which caused grievous injury on the hand of the informant, I am not inclined to grant privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is, thus, refused.

In case, the petitioner surrenders and prays for regular bail in the court below within a period of eight weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

