

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54845 of 2019

Arising Out of PS. Case No.-530 Year-2018 Thana- BIHARSHARIF District- Nalanda

RAJU RAM Son of Baldeo Ram Resident of Village - Kalyanpur, P.S.- Bihar,
Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 08-01-2020 This application, for grant of anticipatory bail, arises out of Bihar P.S. Case No. 530 of 2018, disclosing offences under Sections 341, 323, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R., there is allegation against the petitioner that he fired on the abdomen of the informant causing injury to him.

Submission of learned counsel for the petitioner is that the F.I.R. itself shows that due to scuffle between the children, scuffle took place between the parties and injury report has not been brought on record, though case diary has been called for.

Learned counsel for the State opposed the prayer for anticipatory bail on the ground that there is direct allegation



against the petitioner of firing on the informant causing injury to him and he was also admitted in PMCH, no doubt injury report is not available with the case diary.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the basis of materials available on record as well as the nature of injury sustained by the informant, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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