

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62827 of 2019

Arising Out of PS. Case No.-232 Year-2019 Thana- DUMRAO District- Buxar

CHANDAN KUMAR @ CHANDAN SINGH S/o Kedar Nath Ray @ Suraj
Singh R/o Village- Dumraon, P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Dumraon P.S. Case No. 232 of 2019, registered for the offence punishable under sections 147, 148, 149, 323, 324, 504, 307 and 327 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated by the informant that the accused persons including this petitioner started to grab the piece of agricultural land of the informant and on protest the accused persons along with 20-35 unknown persons started to abuse and assault her. It is stated that she went home and narrated the occurrence to her husband and thereafter,



returned to her agricultural field. It is further stated that once again the four named accused persons including this petitioner fired from their pistol as a result of which her husband sustained injuries.

It is submitted by learned counsel for the petitioner that there is case and counter case between the parties and the correct narration having been given in the FIR, lodged by the petitioner, which is Annexure-2 to the petition. It is submitted that from the FIR itself it would be evident that the informant states that the occurrence took place in the agricultural land and at the same time she states that her husband hide himself behind the boundry wall, which is false and concocted. It is further submitted that there is land dispute between the parties and the petitioner has no criminal antecedent.

The application for bail is opposed for learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that there is allegation of firing against the petitioner and three others, who are named in the FIR, fire arm injury has been found on the chest of the injured, this Court is not inclined to enlarge the petitioner on bail and, as such, the application for anticipatory bail is rejected.



The petitioner is directed to surrender within a period of four weeks.

In case the petitioner surrenders within the aforesaid period and prays for bail, the same shall be considered by the court below expeditiously, without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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