

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28607 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- BEERPUR District- Begusarai

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Ramratan Poddar @ Jhanjhat Poddar, Son of Late Bhola Poddar, Resident of
Village- Laxmipur, P.S.- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar, Adv.

For the Opposite Party/s : Mr.Jai Narayan Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

8 25-03-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking pre-arrest

bail in connection with Birpur P.S. Case No.32/2020 registered

for the offences punishable under Sections 147, 148, 149, 307,

504, 506 and 120(B) of the Indian Penal Code and Section 27 of

the Arms Act.

Learned counsel for the petitioner submits that this

case is completely false and concocted. According to him, the

informant has himself shot at his hand and leg by fire-arm in

order to take revenge from this petitioner. The petitioner had



earlier lodged a case being Barauni P.S. Case No.89/2000 against the informant and others. In the said case, the learned F.T.C.-1st, Begusarai has, vide his judgment dated 31.01.2020, convicted the accused and the accused persons in the said case have been sentenced for a period of five years.

On the other hand, learned APP for the State has opposed the prayer for anticipatory bail. It is submitted that on the face of the allegations made by the informant who is an injured witness directly alleging that this petitioner had fired upon him and the injury caused is grievous in nature, the petitioner does not deserve privilege of anticipatory bail. Learned APP submits that the grounds raised by the petitioner are only to be looked into at the time of trial.

Having regard to the facts and circumstances of the case wherein there is direct allegation against the petitioner of firing upon the informant, causing injury to him and injury has been found to be grievous in nature as also that the petitioner has got one criminal antecedent, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. The prayer is, thus, refused.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today,



his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

The observation with regard to surrender in the court below within a period of four weeks from today shall not be construed as granting any interim protection to the petitioner for the aforesaid period.

(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'.

