

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38535 of 2020

Arising Out of PS. Case No.-165 Year-2020 Thana- MAIRWAN District- Siwan

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ABHIMANYU KUMAR @ ABHIMANYU KUMAR RAJBHAR @
MANNU RAJBHAR @ MUNNA RAJBHAR S/O SHAILENDRA
RAJBHAR RESIDENT OF VILLAGE - DOMDIH, P.S. - MAIRWA,
DISTRICT - SIWAN, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-05-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Bharat Lal, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Mairwa PS case no. 165 of 2020 registered for the offences punishable under Sections 326, 307/34 of Indian Penal Code and 27 of Arms Act.

The allegation is regarding the accused persons, more particularly the petitioner herein having fired gun shot in the stomach of the son of the informant resulting in him



receiving serious injuries.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted, by referring to paragraph no. 13 of the present petition, that the name of the petitioner has not been noted properly in the F.I.R., hence benefit of doubt may be granted to the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail and has submitted that the main allegation of firing gunshot is upon the petitioner herein, hence no mercy should be shown to the petitioner, as far as grant of anticipatory bail is concerned.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that the complicity of the petitioner is writ large from the records and a serious allegation of having fired gun shot in the stomach of the son of the informant has been levelled against the petitioner, hence I do not find the present case to



be a fit case for grant of anticipatory bail, accordingly the present petition stands dismissed.

(Mohit Kumar Shah, J)

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