

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13451 of 2021

Arising Out of PS. Case No.-273 Year-2019 Thana- SANDESH District- Bhojpur

SATISH KUMAR S/o Ramesh Kumar Singh R/o Village - Rampur, P.S. -
Chandi, District - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-01-2022 Heard Mr. Manoj Kumar, learned Advocate for

the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sandesh P.S. Case No. 273 of 2019 dated 09.12.2019 instituted for the offences under Sections 447, 341 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation in the FIR is that four persons came on two motorcycles and opened fire at the informant. The informant has been very specific in his accusation that the shot fired by the two other accused persons and not the petitioner hit him in his abdomen



and a thigh. So far as the petitioner is concerned, he is only said to have driven one of the vehicles which was used for carrying the miscreants.

The learned counsel for the petitioner has submitted that there was some dispute in the celebrations which had taken place in the previous night in a marriage party.

So far as the petitioner is concerned, he does not have criminal antecedents and is not attributed with any overt act.

Apart from this, it has further been pointed out that the parties have now settled their dispute and the informant does not wish to prosecute the petitioner and others any further. He has also submitted that though the injuries suffered by the victim are by gun-shot but the nature of such injuries has not been assessed.

Be that as it may, considering the background facts of this case, I am not inclined to grant anticipatory bail to the petitioner, notwithstanding the fact that the



informant has decided not to prosecute the petitioner
any further.

Accordingly, the prayer for anticipatory bail is
rejected.

However, the aforementioned ground may be taken
into account while passing an order for regular bail,
should the petitioner surrender and pray for the same.

(Ashutosh Kumar, J)

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