

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16644 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

SAROJ CHOUBEY S/o Brij Bihari Choubey Resident of Village- Chunni,
P.S.- Buxar Muffasil, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant alleges that petitioner fired at Sushil causing injury on palm of his left hand, thereafter Sushil fled and hid near his boring.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that if what has been alleged in the FIR is true then definitely the injured would have been treated in a hospital and if he would have been taken to a hospital, then the hospital



would have informed the police but from perusal of the FIR it manifests that the date of occurrence is 07.01.2022 and the FIR has been instituted on 11.01.2022 i.e., four days after the occurrence and that too based on a written application of the informant which creates doubt with regard to the veracity of the allegations. Learned counsel next submits that it appears that the victim got injured elsewhere and taking the same as an opportunity, implicated the petitioner falsely.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the order impugned it would manifest that the injured had received four injuries and out of the four injuries, injury no. 1 was caused by a firearm and was opined to be grievous while injury nos. 2 to 4 were opined to be simple caused by hard and blunt object.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/successor court in connection with Buxar Muffasil P.S. Case No. 16 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if after investigation charge-sheet is submitted against the petitioner, then the present anticipatory bail order shall automatically come to an end as the matter presently is under investigation.

(Satyavrat Verma, J)

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