

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40742 of 2020

Arising Out of PS. Case No.-114 Year-2020 Thana- INDUSTRIAL AREA District- Vaishali

DINANATH RAI @ DINANATH KUMAR SON OF LALDEO RAI @
LALDEO RAY, Resident of Village - Jathui, P.S.- Hajipur Industrial Area,
Distt.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 25-01-2022 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State through video
conferencing.

The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one
month.

The petitioner apprehends his arrest in connection
with Hajipur Industrial Area P.S. Case No. 114 of 2020
registered for offence punishable under sections 147, 148, 341,
323, 324, 307, 504, 506 of the Indian Penal Code read with
section 27 of the Arms Act.

As per allegation when the panchayati was going on, the
present petitioner along with other FIR named accused persons



came there and they started abusing the members of the informant party. On protest, all the three persons including the petitioner started firing on the members of the informant side. Rahul Kumar and Sunil Kumar sustained gun shot injuries.

The learned counsel for the petitioner has submitted that there is case and counter case and the members of the petitioner side have also sustained injuries. He has also submitted that there is land dispute between both the parties and already a proceeding under section 144 of the Cr. PC is pending between both the parties.

There is allegation against the petitioner that he along with co-accused Mritunjay Kumar and Sanjay Kumar started firing due to which Rahul Kumar and Sunil Kumar became injured. The injury report was called for, which is annexed as flag 'A', which shows that Rahul Kumar sustained bullet injury caused by firearm, which is grievous in nature and similarly, Sunil Kumar has also sustained firearm injury, which is grievous in nature.

Considering the above mentioned facts and circumstances, it is not a fit case for anticipatory bail and accordingly the prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the



petitioners within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey , J)

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