

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3565 of 2023

Arising Out of PS. Case No.-203 Year-2022 Thana- SARMERA District- Nalanda

1. MURARI PRASAD S/o Late Jagdeo Mahto R/o Village- Gaus Nagar, P.S.- Sarmera, Distt- Nalanda.
2. Pravin Kumar @ Sonilal S/o Mithilesh Prasad R/o Village- Gaus Nagar, P.S.- Sarmera, Distt- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Sarmera P.S. Case No. 203 of 2022 registered for the offences punishable under Sections 307, 324, 34 and 504 of the Indian Penal Code. They Petitioner no. 2 has no criminal antecedent, but so far as petitioner no. 1 is concerned, he has one criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, while the informant with his father was irrigating his field, his father told him to go home and he is coming behind, as soon as he came on the four lane, Murari Prasad and Pravin Kumar came on motorcycle and fired upon him but the same has been passed near his ear. When the bullet did not hit him then from the butt of the pistol he assaulted on his head. Pravin



Kumar ordered that he is surviving so kill him. Thereafter Murari Prasad fired upon him which hit in the left wrist of the informant and he fell down. On hearing sound of firing, his father and co-villagers rushed to the place of occurrence and the informant was taken way to Primary Health Centre, Sarmera for better treatment.

Learned counsel for the petitioners submits that petitioner has been falsely implicated in this case. Learned counsel submits that there is long dispute between the parties and there is a counter case also.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, on noticing that the petitioner no. 1 who was in possession of fire-arm and he had fired from his pistol causing injury to the informant, the petitioner no. 2 had also assaulted him by the Butt of the Pistol, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioner is, thus, refused.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

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